

**Sent:** 9/20/2018 1:27:39 PM  
**To:** Dunn, Alexandra [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=426d0177eaab4001a5c85f051565997e-Dunn, Alexa]  
**CC:** Lindsay, Jane [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d8e1bbd664b54cf2909b87a75de47f31-Lindsay, Ja]; Jensen, LeAnn [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=92bec0e34e7d4c3292a8d0028590f636-Jensen, LeAnn]; Szaro, Deb [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2a189e7c928e4eb3930e29543cad5e5d-Szaro, Deb]; Dierker, Carl [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1f9b7627f8e4efab65f9e9513bf323e-Dierker, Carl]  
**Subject:** RE: Ethics advice concerning your invitation to the ELI dinner

Hi Alex,

## Ex. 6 - Personal Privacy

Ex. 6 - Personal Privacy

I'm now looking at emails and see this one from you.

**From:** Dunn, Alexandra  
**Sent:** Thursday, September 20, 2018 7:54 AM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Cc:** Lindsay, Jane <lindsay.jane@epa.gov>; Jensen, LeAnn <Jensen.Leann@epa.gov>; Szaro, Deb <Szaro.Deb@epa.gov>; Dierker, Carl <Dierker.Carl@epa.gov>  
**Subject:** Re: Ethics advice concerning your invitation to the ELI dinner

After reflecting I am going to attend this event by taking annual leave and have purchased a ticket and booked a hotel personally.

Due to my official work schedule I am working part of the day on the 23rd / flying to Washington in the afternoon of the 23rd /attending the event /and flying back first thing in the morning on the 24th so that I can attend meetings in the region.

*Sent from my iPhone*

Alexandra Dapolito Dunn, J.D.  
Regional Administrator  
Region 1 New England  
(617) 918-1012

***This email is for official EPA business only and may be subject to disclosure under the Freedom of information Act***

On Aug 1, 2018, at 1:00 PM, Fugh, Justina <Fugh.Justina@epa.gov> wrote:

Hi Alex,

Sorry for the delay in getting back to you and sorry for not being more clear in your WAG determination. I am brimming with joy over the fact that you were concerned about ELI and your recusal statement! But at the risk of making your head explode, I'm writing to say that you can still attend this event if you want.

The reason is that your recusal statement addresses ELI in the context of your official EPA duties. But this determination about a widely attended gathering is made for you in your individual capacity, not because you are carrying out official duties. The event takes place after business hours, so you can't be on official time. That's why I indicated to you that you can't be on official travel orders just to attend the ELI dinner and, by the way, you can't expense to the government costs associated with attending a WAG event.

So our advice still stands: if you want to attend this event in your personal capacity, you may do so.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** Dunn, Alexandra  
**Sent:** Sunday, July 29, 2018 2:10 AM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Cc:** Lindsay, Jane <[lindsay.jane@epa.gov](mailto:lindsay.jane@epa.gov)>  
**Subject:** Re: Ethics advice concerning your invitation to the ELI dinner

I would expect that my recusal supersedes this correct?

*Sent from my iPhone*

Alexandra Dapolito Dunn, J.D.  
Regional Administrator  
Region 1 New England  
(617) 918-1012

***This email is for official EPA business only and may be subject to disclosure under the Freedom of information Act***

On Jul 28, 2018, at 11:25 PM, Dunn, Alexandra <[dunn.alexandra@epa.gov](mailto:dunn.alexandra@epa.gov)> wrote:

Thank you - this is helpful. I don't know if I can attend - perhaps!

*Sent from my iPhone*

Alexandra Dapolito Dunn, J.D.  
Regional Administrator  
Region 1 New England  
(617) 918-1012

***This email is for official EPA business only and may be subject to disclosure under the Freedom of information Act***

On Jul 28, 2018, at 7:41 AM, Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)> wrote:

Oops, I hit send too soon. Here is your ethics advice.

Hi there,

OGC/Ethics understands that you have received or will soon receive an invitation from the Environmental Law Institute (ELI) to be its guest at its annual awards dinner to be held this year on October 23, 2018 at the Omni Shoreham Hotel. I am writing to confirm that, if you decide to attend this event, you may do so consistent with the Standards of Ethical Conduct for Employees of the Executive Branch and the Trump ethics pledge that you signed.

This event qualifies for the Widely-Attended-Gathering gift exception and the donor is not a federally registered lobbyist. Thus, OGC/Ethics determines that your attendance at the event is in the Agency's interest because it will further agency programs and operations. Should you attend this event, you will NOT be required to report this as a gift on your financial disclosure report form because the gift is valued at \$275, which is BELOW the reporting threshold.

**Please note, however, that because you are not located in the DC metropolitan area, you cannot use this event itself as a justification for official travel.** In addition, this approval applies only to invitations from ELI itself. Any invitations from other sources will require separate determinations by either OGC or the appropriate Deputy Ethics Official. This determination covers you only -- the invitation is not transferable and is not intended for more than just one attendee.

Acceptance of Free Attendance to a Dinner and Fundraiser (WAG rule)

The gift offered is an evening reception and dinner sponsored by ELI. Because the organization is offering you a complimentary ticket, we must analyze it according to the gift rules. Generally, federal employees are prohibited from accepting gifts given because of their official position or given by a prohibited source (typically, a person either regulated by or seeking to do business with the EPA). In this instance, the gift of free attendance is offered to you because of your official position. In analyzing the situation, we determined that the WAG exception is available because the reception will be widely attended, there will be a diversity of views represented, and there is an opportunity for the exchange of ideas. In order to utilize this gift exception, OGC/Ethics must also make a written determination that we believe your attendance is in the Agency's interest. We do, in fact,

conclude that there is an Agency interest in your attendance if you wish to go.

Limitations Due to the Fundraiser Event

Please note that this event is a fundraiser. Therefore, ELI cannot use or reference your official position or title or any authority associated with your public office in furtherance of the fundraising effort. You may not actively or visibly participate in the promotion, production, or presentation of the event, which means that you cannot sit at a head table nor stand in a receiving line. We have confirmed with ELI that you will be placed by ELI and not seated at the request of any sponsoring entity that has bought a table.

Please let me know if you have any questions.

Regards,  
justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US  
EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton  
Federal Building | Washington, DC 20460 (for ground deliveries, use 20004  
for the zip code) | phone 202-564-1786 | fax 202-564-1772

Message

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**Sent:** 9/18/2018 5:54:42 PM  
**To:** Melodie DeMulling [demulling@eli.org]  
**Subject:** RE: ELI guests

Hi,

Jerry Clifford left EPA a couple of administrations ago. He's friends with Scott, though, so maybe that's why Scott included him. I know his lady friend if you want me to try to

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**From:** Melodie DeMulling [mailto:demulling@eli.org]  
**Sent:** Wednesday, September 12, 2018 1:06 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** ELI guests

Hi Justina: I have two more that I'd like to invite.

Randy Hill  
Director, Enforcement Targeting and Data Division  
Office of Compliance  
U.S. Environmental Protection Agency  
[Hill.randy@Epa.gov](mailto:Hill.randy@Epa.gov)  
202-564-5474

And Jerry Clifford? But I can't find him on the EPA directory.

Thanks, Melodie

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**From:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Sent:** Tuesday, September 04, 2018 2:13 PM  
**To:** Melodie DeMulling <demulling@eli.org>  
**Subject:** David Harlow?

Hi there,

The Chief of Staff for Air and Radiation just told me that he accepted ELI dinner invitations for Bill Wehrum, Mandy Gunasekara, Clint Woods and David Harlow. Harlow is NOT on the list of names you sent to me. Can you please confirm that you all invited David Harlow too?

Thanks,  
Justina

Justina Fugh | Director, Ethics Law Office | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

Message

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**Sent:** 6/21/2018 8:35:22 PM  
**To:** Hewitt, James [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=41b19dd598d340bb8032923d902d4bd1-Hewitt, Jam]  
**Subject:** RE: ethics signoff on event invitation

Sigh. I am pperson

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**From:** Hewitt, James  
**Sent:** Thursday, June 21, 2018 2:26 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** RE: ethics signoff on event invitation


My dad had actually asked if he could bring me instead and they gave him the okay.

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**From:** Fugh, Justina  
**Sent:** Thursday, June 21, 2018 2:21 PM  
**To:** Hewitt, James <hewitt.james@epa.gov>  
**Subject:** RE: ethics signoff on event invitation

Hi,

I can't read the invitation's small print, but it appears that you are not included in the addressee (it's )

 Often, the small print tells us whether the invitation is transferrable or not. If it is not, then I don't see how, from an etiquette standpoint, you could possibly infer that you have been invited to attend the event.

Justina

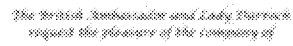
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**From:** Hewitt, James  
**Sent:** Thursday, June 21, 2018 11:34 AM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** ethics signoff on event invitation

Hi Justina,

My dad's friend is playing in a band that is performance at the British Ambassador's Residence tomorrow and I've been asked to attend with him. Is this within the rules to attend?

I've pasted a screenshot below:



set a thought were followed by  
a performance  
by

2014. 12. 31  
 2014. 12. 31  
 2014. 12. 31

ED\_002121A\_00000006-00002

## Appointment

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**From:** Aarons, Kyle [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=EF85C3C00A2244779C4B26FF6BC6CCC9-AARONS, KYL]  
**Sent:** 4/12/2018 4:29:14 PM  
**To:** Aarons, Kyle [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ef85c3c00a2244779c4b26ff6bc6ccc9-Aarons, Kyl]; Knapp, Kristien [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=8d4ab10c47264bca8b12174cdb981942-KKnapp]; Rodrick, Christian [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6515dbe46dae466da53c8a3aa3be8cc2-Rodrick, Ch]; Ringel, Aaron [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1654bdc951284a6d899a418a89fb0abf-Ringel, Aar]; Lyons, Troy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=15e4881c95044ab49c6c35a0f5eef67e-Lyons, Troy]; Shimmin, Kaitlyn [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=becb3f33f9a14acd8112d898cc7853c6-Shimmin, Ka]; Burke, Marcella [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5066626ec70846439b8d3f6c35d92be8-Burke, Marc]; Baptist, Erik [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=10fc1b085ee14c6cb61db378356a1eb9-Baptist, Er]; Youngblood, Charlotte [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=aaa372e7cca8436a9a9c8786d8fa885b-Youngblood,]; White, Elizabeth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=f8af641a6306479c9026142ef3b02bd7-White, Eliz]  
**CC:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]; Sweeney, Edward [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3727d66608e4f87b4372de0f3f6c497-Sweeney, Ed]  
**Subject:** FW: Gowdy letter on condo & air travel  
**Attachments:** Gowdy Air Travel Follow-Up and Condo Lease 4-11-18.pdf; Gowdy Air Travel 2-20-18.pdf  
**Location:** DCRoomARN3428/OCIR or call-in  
**Start:** 4/12/2018 6:30:00 PM  
**End:** 4/12/2018 7:00:00 PM  
**Show Time As:** Busy

Justina and Ed – I thought you were on this invite, but I don't see your names. Would you both be available to attend?

-----Original Appointment-----

**From:** Aarons, Kyle  
**Sent:** Wednesday, April 11, 2018 1:41 PM  
**To:** Aarons, Kyle; Knapp, Kristien; Rodrick, Christian; Ringel, Aaron; Lyons, Troy; Shimmin, Kaitlyn; Burke, Marcella; Baptist, Erik; Youngblood, Charlotte; White, Elizabeth  
**Subject:** Gowdy letter on condo & air travel  
**When:** Thursday, April 12, 2018 2:30 PM-3:00 PM (UTC-05:00) Eastern Time (US & Canada).  
**Where:** DCRoomARN3428/OCIR or call-in

Call-In: [Ex. 6 - Personal Privacy]  
Extension: [Ex. 6 - Personal Privacy]  
Code: [Ex. 6 - Personal Privacy]

Hi all – This is to discuss our approach to the new HOGH letter regarding:



- Administrator first class travel waiver & security justification
- Administrator capitol hill condo lease communications

## **Ex. 5 - Deliberative Process**

Thanks,  
Kyle

## Appointment

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**From:** Gunasekara, Mandy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=53D1A3CAA8BB4EBAB8A2D28CA59B6F45-GUNASEKARA,]  
**Sent:** 11/7/2017 2:45:14 PM  
**To:** Gunasekara, Mandy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=53d1a3caa8bb4ebab8a2d28ca59b6f45-Gunasekara,]; Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]; Dominguez, Alexander [dominguez.alexander@epa.gov]  
**Subject:** General Discussion / Ethics Review  
**Location:** Justina's Office - WJC-N Room 4308  
**Start:** 11/9/2017 3:00:00 PM  
**End:** 11/9/2017 3:30:00 PM  
**Show Time As:** Busy

### **General ethics review, including records, travel and gifts**

**To:** Mandy Gunasekara, Alex Dominguez, Justina Fugh

Message

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**Sent:** 7/24/2018 3:19:21 PM

**Attachments:** Markey Meetings 7.24.18.docx

Message

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**Sent:** 8/29/2018 8:11:02 PM  
**To:** Melodie DeMulling [demulling@eli.org]  
**Subject:** RE: Bill Wehrum

Hi Melodie,  
I noticed that Latham & Watkins is a "super star" donor for the ELI dinner

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**From:** Melodie DeMulling [mailto:demulling@eli.org]  
**Sent:** Wednesday, August 29, 2018 3:27 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** RE: Bill Wehrum

Argh. Thanks for letting me know. Luckily he is very popular at ELI so I will have no trouble finding him a seat.

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**From:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Sent:** Wednesday, August 29, 2018 2:47 PM  
**To:** Melodie DeMulling <demulling@eli.org>  
**Subject:** Bill Wehrum

Hi Melodie,  
I just heard that Latham and Watkins invited Bill Wehrum to sit at their table. I have advised Bill that he is not permitted by ethics rules to sit at their table at their invitation. Instead, he may accept the invitation from ELI, but that ELI will place him (not at the request of any particular donor). This is my pitch that you do not seat him at the L&W table, given the fact that they specifically invited him already.  
Justina

Justina Fugh | Director, Ethics Law Office | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

Message

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**Sent:** 8/27/2018 7:21:05 PM  
**To:** Thornton, Kecia [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=f2b76071659d45f09279e4d798c062f1-KThornto]  
**CC:** ethics [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d77d8564b916474a9312ec6c9c4dca55-ethics]  
**Subject:** RE: Meeting Request

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**From:** Thornton, Kecia  
**Sent:** Monday, August 27, 2018 1:44 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Cc:** ethics <ethics@epa.gov>  
**Subject:** FW: Meeting Request

Good afternoon, Justina!

I hope you had a wonderful weekend. Attached is additional information regarding the invitation Steven Cook received from AFPM. Please let me know your thoughts. Thank you very much!

Kecia  
(202) 566-1913

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**From:** Thornton, Kecia  
**Sent:** Wednesday, August 22, 2018 11:42 AM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** FW: Meeting Request

Good morning, Justina!

I hope all is well with you. I am checking to see if I am on the right track for giving advice on an invitation request received by Steven Cook (see further down below.) Steven has been invited as a guest speaker at the American Fuel & Petrochemical Manufacturers (AFPM) legal committee dinner in October. I found that AFPM is a federally registered lobbyist. Since this is a local event and AFPM is a federally registered lobbyist, am I correct that he cannot join them for dinner? Would he still be okay to attend as guest speaker? Thank you for your input!

p.s. In the future, should I send these types of inquiries to the "ethics" community email or still directly to you? Thank you!

Kecia  
(202) 566-1913

---

**From:** Richard Moskowitz [mailto:RMoskowitz@afpm.org]  
**Sent:** Tuesday, August 21, 2018 9:15 AM  
**To:** Cook, Steven <cook.steven@epa.gov>  
**Cc:** Taylor Hoverman <THoverman@afpm.org>; Maggie O'Connell <MOConnell@afpm.org>  
**Subject:** Meeting Request

Steven,

We would like to invite you to be our speaker at the AFPM Legal Committee dinner on October 1<sup>st</sup>. The committee would like you to address the Superfund Task Force and other lessons learned.

We can discuss the details at your convenience. Thank you for your consideration.

-Rich

Richard Moskowitz  
General Counsel

American  
Fuel & Petrochemical  
Manufacturers  
1800 M Street, NW  
Suite 900 North  
Washington, DC 20036

202.844.5474 direct  
202.457.0480 office

[rmoskowitz@afpm.org](mailto:rmoskowitz@afpm.org)

Learn more about AFPM, at [afpm.org](http://afpm.org)

**CONFIDENTIALITY NOTICE:** This electronic message contains information from the American Fuel & Petrochemical Manufacturers that may be confidential or privileged. The information is intended solely for the use of the individual(s) or entity(ies) named above. If you are not the intended recipient, be aware that any disclosure, copying, distribution, or use of the contents of this message is prohibited. If you have received this e-mail in error, please notify us immediately by telephone at (202) 457-0480 or by reply e-mail and permanently delete this e-mail, any attachments, and all copies thereof.

Message

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**From:** Melodie DeMulling [demulling@eli.org]  
**Sent:** 9/18/2018 7:00:30 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** RE: ELI guests

No worries. Probably just a mistake. Thanks.

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**From:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Sent:** Tuesday, September 18, 2018 2:01 PM  
**To:** Melodie DeMulling <demulling@eli.org>  
**Subject:** RE: ELI guests

Hi,  
Thanks for letting me know about Randy Hill. As for Jerry Clifford, he left EPA a couple of administrations ago. He's friends with Scott, though, so maybe that's why Scott included him. I know his lady friend if you want me to try to get contact information for him.  
Justina

Justina Fugh | Director, Ethics Law Office | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** Melodie DeMulling [mailto:demulling@eli.org]  
**Sent:** Wednesday, September 12, 2018 1:06 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** ELI guests

Hi Justina: I have two more that I'd like to invite.

Randy Hill  
Director, Enforcement Targeting and Data Division  
Office of Compliance  
U.S. Environmental Protection Agency  
[Hill.randy@Epa.gov](mailto:Hill.randy@Epa.gov)  
202-564-5474

And Jerry Clifford? But I can't find him on the EPA directory.

Thanks, Melodie

---

**From:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Sent:** Tuesday, September 04, 2018 2:13 PM  
**To:** Melodie DeMulling <demulling@eli.org>  
**Subject:** David Harlow?

Hi there,

The Chief of Staff for Air and Radiation just told me that he accepted ELI dinner invitations for Bill Wehrum, Mandy Gunasekara, Clint Woods and David Harlow. Harlow is NOT on the list of names you sent to me. Can you please confirm that you all invited David Harlow too?

Thanks,

Justina

Justina Fugh | Director, Ethics Law Office | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772



Message

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**From:** Kunding, Kelly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E3C9A5D16E2244079E222F342BF9992F-KUNDINGER,]  
**Sent:** 7/31/2018 6:32:15 PM  
**To:** Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]  
**CC:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** For Approval - LABI  
**Attachments:** EPA Administrator Pruitt Speaker Request Form (003).docx; Administrator Pruitt - LABI Federal Outreach Tour 10.2018.pdf

Jennie –

I hope your week is off to a great start. When you have the chance, would you mind letting me know if the attached request is approved?

Thanks!

Kelly Kunding  
Deputy Director of Scheduling and Advance  
[Kunding.Kelly@epa.gov](mailto:Kunding.Kelly@epa.gov)  
202-568-9879

Message

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**From:** Dickerson, Aaron [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D0440D9F06994021827E0D0119126799-DICKERSON,]  
**Sent:** 7/28/2018 4:19:02 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** Re: Ethics advice concerning your invitation to the ELI dinner

Thank you Justina.

Sent from my iPhone

On Jul 28, 2018, at 1:36 AM, Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)> wrote:

Hi,  
Just letting you know that, on behalf of OGC/Ethics, I cleared Mr. Wheeler's attendance at this event if he wants to attend.  
Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308  
North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004  
for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** Fugh, Justina  
**Sent:** Saturday, July 28, 2018 1:34 AM  
**To:** Bodine, Susan <[bodine.susan@epa.gov](mailto:bodine.susan@epa.gov)>; Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>; Traylor, Patrick <[traylor.patrick@epa.gov](mailto:traylor.patrick@epa.gov)>; Brown, Byron <[brown.byron@epa.gov](mailto:brown.byron@epa.gov)>; Ross, David P <[ross.davidp@epa.gov](mailto:ross.davidp@epa.gov)>; Wheeler, Andrew <[wheeler.andrew@epa.gov](mailto:wheeler.andrew@epa.gov)>  
**Cc:** Keith, Jennie <[Keith.Jennie@epa.gov](mailto:Keith.Jennie@epa.gov)>; Duross, Jeanne <[Duross.Jeanne@epa.gov](mailto:Duross.Jeanne@epa.gov)>  
**Subject:** Ethics advice concerning your invitation to the ELI dinner

Hi there,  
OGC/Ethics understands that you have received or will soon receive an invitation from the Environmental Law Institute (ELI) to be its guest at its annual awards dinner to be held this year on October 23, 2018 at the Omni Shoreham Hotel. I am writing to confirm that, if you decide to attend this event, you may do so consistent with the Standards of Ethical Conduct for Employees of the Executive Branch and the Trump ethics pledge that you signed.

This event qualifies for the Widely-Attended-Gathering gift exception and the donor is not a federally registered lobbyist. Thus, OGC/Ethics determines that your attendance at the event is in the Agency's interest because it will further agency programs and operations. Should you attend this event, you will NOT be required to report this as a gift on your financial disclosure report form because the gift is valued at \$275, which is BELOW the reporting threshold.

Please note: this approval applies only to invitations from ELI itself. Any invitations from other sources will require separate determinations by either OGC or the appropriate Deputy Ethics Official. This determination covers you only -- the invitation is not transferable and is not intended for more than just one attendee.

Acceptance of Free Attendance to a Dinner and Fundraiser (WAG rule)

The gift offered is an evening reception and dinner sponsored by ELI. Because the organization is offering you a complimentary ticket, we must analyze it according to the gift rules. Generally, federal employees are prohibited from accepting gifts given because of their official position or given by a prohibited source (typically, a person either regulated by or seeking to do business with the EPA). In this instance, the gift of free attendance is offered to you because of your official position. In analyzing the situation, we determined that the WAG exception is available because the reception will be widely attended, there will be a diversity of views represented, and there is an opportunity for the exchange of ideas. In order to utilize this gift exception, OGC/Ethics must also make a written determination that we believe your attendance is in the Agency's interest. We do, in fact, conclude that there is an Agency interest in your attendance if you wish to go.

Limitations Due to the Fundraiser Event

Please note that this event is a fundraiser. Therefore, ELI cannot use or reference your official position or title or any authority associated with your public office in furtherance of the fundraising effort. You may not actively or visibly participate in the promotion, production, or presentation of the event, which means that you cannot sit at a head table nor stand in a receiving line. We have confirmed with ELI that you will be placed by ELI and not seated at the request of any sponsoring entity that has bought a table.

Please let me know if you have any questions.

Regards,  
justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308  
North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004  
for the zip code) | phone 202-564-1786 | fax 202-564-1772

Message

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**From:** Thornton, Kecia [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=F2B76071659D45F09279E4D798C062F1-KTHORNT0]  
**Sent:** 7/20/2018 8:59:18 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]; Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]  
**Subject:** Ethics travel form

Hello Justina and Jennie!

I know we gave your office very little advanced notice to review Steven Cook's ethics travel form. So sorry about that! With all the millions of other things you all have going on, just checking to see if you were able to squeeze in a review of his form. He will be traveling this coming Monday. Thank you both so much!!

Kecia Thornton  
OLEM/OMIS  
(202) 566-1913

Message

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**From:** Willis, Sharnett [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=97B55BDFAC5E41D8AA81064DFA2CB944-WILLIS, SHARNETT]  
**Sent:** 6/15/2018 9:28:35 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** FW: Arizona Manufacturer's Council -- Summit in Prescott, AZ

Good Afternoon Justina,

I'm Henry's scheduler/travel preparer. Please let me know which forms I need to complete.

Thanks.

Sharnett Willis  
Office of the Administrator  
202/564-7866

---

**From:** Darwin, Henry  
**Sent:** Friday, June 8, 2018 1:49 PM  
**To:** Willis, Sharnett <Willis.Sharnett@epa.gov>  
**Subject:** FW: Arizona Manufacturer's Council -- Summit in Prescott, AZ

Can you please work with Justina?

Thanks

Henry

---

**From:** Fugh, Justina  
**Sent:** Friday, June 8, 2018 1:38 PM  
**To:** Darwin, Henry <darwin.henry@epa.gov>  
**Subject:** Re: Arizona Manufacturer's Council -- Summit in Prescott, AZ

Henry,

The short answer is yes, we can allow you to accept this invitation. The slightly longer answer is that we will need to know the name of your scheduled/travel preparer so that person can complete the necessary ethics travel form so that my staff can accept the offer of travel expenses.

Even if the donor is a federally registered lobbyist, we can still allow you to speak and accept travel but you cannot accept any honorarium or other gift such as a presentation item, etc.

Justina

Sent from my iPhone

On Jun 8, 2018, at 11:24 AM, Darwin, Henry <darwin.henry@epa.gov> wrote:

Justina:

What do you say?

Thanks

Henry

---

**From:** Scott, Elizabeth [mailto:[escott@swlaw.com](mailto:escott@swlaw.com)] **On Behalf Of** Narducci, Lucas  
**Sent:** Wednesday, June 6, 2018 7:35 PM  
**To:** Darwin, Henry <[darwin.henry@epa.gov](mailto:darwin.henry@epa.gov)>  
**Cc:** [REDACTED] **Ex. 6 - Personal Privacy** 'Glenn Hamer' [REDACTED] **Ex. 6 - Personal Privacy**  
[REDACTED] **Ex. 6 - Personal Privacy** Reeve, Amanda  
<[areeve@swlaw.com](mailto:areeve@swlaw.com)>  
**Subject:** Arizona Manufacturer's Council -- Summit in Prescott, AZ

Attached is correspondence from Luke Narducci with regard to the above event.

Beth Scott

Legal Administrative Assistant to:

David Boden / Mark Cole / Jennifer Hadley Catero / Michael J. Marrie / Lucas J. Narducci

Snell & Wilmer L.L.P.

[REDACTED] **Ex. 6 - Personal Privacy**

[escott@swlaw.com](mailto:escott@swlaw.com) [www.swlaw.com](http://www.swlaw.com)

<image001.png>

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<2018 0606 LT H Darwin re Prescott Summit.pdf>

Message

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**From:** Gleason, Michael [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=96BC79D699E64C21BF4E4D524A10BF4C-GLEASON, MICHAEL]  
**Sent:** 3/19/2018 2:45:50 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** FW: Event invite approval  
**Attachments:** TEST: Join us on April 5 to Meet the EPA's Region 8 Administrator

Hi Justina,

I copied you on the advice email below since you're Doug's DEO. Let me know if you don't think I need to copy you on these.

Thanks.

Michael P. Gleason  
Senior Assistant Regional Counsel  
U.S. Environmental Protection Agency, Region 8  
1595 Wynkoop Street  
Denver, CO 80202-1129  
(303) 312-6898

---

**From:** Gleason, Michael  
**Sent:** Monday, March 19, 2018 8:42 AM  
**To:** Benevento, Douglas <benevento.douglas@epa.gov>  
**Cc:** Schefski, Kenneth <Schefski.Kenneth@epa.gov>; Sutin, Elyana <Sutin.Elyana@epa.gov>; Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** RE: Event invite approval

Thank you Doug.

Diane shared this with me a few weeks ago and I provided advice.

From the ethics perspective, since you're speaking at the event on behalf of EPA, there is no problem with your accepting free attendance to the event including the provision of food, refreshments, entertainment, instruction or materials furnished to all attendees as an integral part of the event (that is, if you're planning to attend the reception following the event). 5 C.F.R. § 2635.203(b)(8)(i) and (g). Please let me know if you have any other questions about gifts or applicable exceptions.

Thanks.

Michael P. Gleason  
Senior Assistant Regional Counsel  
U.S. Environmental Protection Agency, Region 8  
1595 Wynkoop Street  
Denver, CO 80202-1129  
(303) 312-6898

---

**From:** Benevento, Douglas  
**Sent:** Friday, March 16, 2018 3:19 PM

**To:** Gleason, Michael <Gleason.Michael@epa.gov>

**Subject:** FW: Event invite approval

Hey Michael, I want to make sure you saw this. I'm giving a talk at Wilmer Hale and the attached are the details. I don't know if Diane ran this by you, but I wanted to make sure you saw it and if there any concerns you could flag them for me. Thanks, I hope you have a nice weekend.

---

**From:** Haniewicz, Melissa

**Sent:** Friday, March 16, 2018 3:15 PM

**To:** Benevento, Douglas <benevento.douglas@epa.gov>

**Cc:** Moon, Diane <Moon.Diane@epa.gov>

**Subject:** Event invite approval

Doug –

I received this from Lori since Diane is out of the office. Not sure if Diane briefs you on these things in person, but I thought I'd send it along in case you look at your email over the weekend. I've cc'd Diane, so you can have her respond to Lori with your thoughts rather than emailing Lori directly.

Thanks!

---

**From:** Conway, Laura (Lori) [mailto:Lori.Conway@wilmerhale.com]

**Sent:** Friday, March 16, 2018 3:03 PM

**To:** Haniewicz, Melissa <Haniewicz.Melissa@epa.gov>

**Subject:** FW: ELI in Denver

Hi Diane,

So sorry to be a bother, but due to the time constraints and the event approaching, we looking to get the invites out asap and wondering if either you or Regional Administrator Benevento had a chance to look at the invite. We would like his approval before making it public.

Many thanks!

Lori Conway

---

**From:** Conway, Laura (Lori)

**Sent:** Thursday, March 15, 2018 3:43 PM

**To:** Moon, Diane <Moon.Diane@epa.gov>

**Subject:** ELI in Denver

Hi Diane,

Hope you are well. Please review the attached invite for the event on Thursday, April 5<sup>th</sup>. Please let us know once you and Regional Administrator Benevento approve, as we are looking to get the invites out asap.

And, so sorry, but one correction from my original answers below.

- Who organizes and pays for the event? Are there sponsors? If so, who are they? ELI (*not EBC*) will sponsor; WilmerHale will host; we will organize the event together. I will be the main point of contact for EPA.

Please let me know if you have any questions.



Many thanks,  
Lori Conway

---

**From:** Moon, Diane [<mailto:Moon.Diane@epa.gov>]  
**Sent:** Wednesday, March 7, 2018 10:34 AM  
**To:** Conway, Laura (Lori) <[Lori.Conway@wilmerhale.com](mailto:Lori.Conway@wilmerhale.com)>  
**Subject:** RE: ELI in Denver

Sorry, missed one.

The answer to your question in your answer of my last question... (getting a bit complicated here..)

Yes, Mr. Benevento would be amenable to the same format as Alex Dunn. ☺

*Diane Rene Moon*  
*Staff Assistant to the Regional Administrator*  
*Office of the Regional Administrator*  
*1595 Wynkoop Street, MS-8RA*  
*Denver, Colorado 80202*  
*(303) 312-6532*  
*[moon.diane@epa.gov](mailto:moon.diane@epa.gov)*

---

**From:** Conway, Laura (Lori) [<mailto:Lori.Conway@wilmerhale.com>]  
**Sent:** Wednesday, March 7, 2018 9:20 AM  
**To:** Moon, Diane <[Moon.Diane@epa.gov](mailto:Moon.Diane@epa.gov)>  
**Subject:** RE: ELI in Denver

Hi Diane,  
Please see below.

The previous event that was held for the Region 1 RA on February 15, was about 3.5 hours in length. Would this event be similar? The R1 event ran for approximately 2.5 hours (we allowed registration to begin an hour in advance; Mr. Benevento would not need to be present for that portion of the event).

Who organizes and pays for the event? Are there sponsors? If so, who are they? The Environmental Business Council will sponsor; WilmerHale will host; we will organize the event together. I will be the main point of contact for EPA.

Is Mr. Benevento the only invited speaker? Yes, though the Director of the Environmental Business Council and a Denver partner of WilmerHale will provide opening/closing remarks.

Is the location already selected? Yes – WilmerHale, 17th Street Plaza, 1225 17th St #2600, Denver, CO.

Andy's initial email indicated the presentations for these events are usually about policy and programmatic objectives. I would assume the focus would be as those relate to our specific region? Correct. Alex Dunn presented on a couple of her policy goals and areas of focus, and then responded to audience questions. Would Mr. Benevento be amenable to doing the same? We can have a moderator and otherwise structure that session as would be helpful.

---

**From:** Conway, Laura (Lori)  
**Sent:** Tuesday, March 6, 2018 4:34 PM

**To:** Moon, Diane <[Moon.Diane@epa.gov](mailto:Moon.Diane@epa.gov)>

**Subject:** RE: ELI in Denver

This is great! Yes, please hold the time and I will get you the answers shortly.

---

**From:** Moon, Diane [<mailto:Moon.Diane@epa.gov>]

**Sent:** Monday, March 5, 2018 1:40 PM

**To:** Conway, Laura (Lori) <[Lori.Conway@wilmerhale.com](mailto:Lori.Conway@wilmerhale.com)>

**Subject:** RE: ELI in Denver

Lori,

I believe we have it figured out. I have a hold on Mr. Benevento's calendar for this event. We still need a bit more information per the questions I sent previously, but we currently have it tentative for April 5, 2pm to 7pm.

*Diane Rene Moon*

*Staff Assistant to the Regional Administrator*

*Office of the Regional Administrator*

*1595 Wynkoop Street, MS-8RA*

*Denver, Colorado 80202*

*(303) 312-6532*

*[moon.diane@epa.gov](mailto:moon.diane@epa.gov)*

---

**From:** Conway, Laura (Lori) [<mailto:Lori.Conway@wilmerhale.com>]

**Sent:** Thursday, March 1, 2018 2:57 PM

**To:** Moon, Diane <[Moon.Diane@epa.gov](mailto:Moon.Diane@epa.gov)>

**Subject:** RE: ELI in Denver

Sounds good. Thanks, Diane.

---

**From:** Moon, Diane [<mailto:Moon.Diane@epa.gov>]

**Sent:** Thursday, March 1, 2018 2:56 PM

**To:** Conway, Laura (Lori) <[Lori.Conway@wilmerhale.com](mailto:Lori.Conway@wilmerhale.com)>

**Subject:** RE: ELI in Denver

Lori...

I'm still on hold. His morning meeting went long so I didn't have a chance to confirm with him.

I'm out on Friday, in on Monday. Will get back to you by about 9am.

*Diane Rene Moon*

*Staff Assistant to the Regional Administrator*

*Office of the Regional Administrator*

*1595 Wynkoop Street, MS-8RA*

*Denver, Colorado 80202*

*(303) 312-6532*

*[moon.diane@epa.gov](mailto:moon.diane@epa.gov)*

---

**From:** Conway, Laura (Lori) [<mailto:Lori.Conway@wilmerhale.com>]

**Sent:** Wednesday, February 28, 2018 1:51 PM

**To:** Moon, Diane <[Moon.Diane@epa.gov](mailto:Moon.Diane@epa.gov)>

**Subject:** RE: ELI in Denver

Great. Thank you!

Lori

---

**From:** Moon, Diane [<mailto:Moon.Diane@epa.gov>]  
**Sent:** Wednesday, February 28, 2018 1:46 PM  
**To:** Conway, Laura (Lori) <[Lori.Conway@wilmerhale.com](mailto:Lori.Conway@wilmerhale.com)>  
**Subject:** RE: ELI in Denver

Lori,  
I will need to get back to you tomorrow.

*Diane Rene Moon*  
*Staff Assistant to the Regional Administrator*  
*Office of the Regional Administrator*  
*1595 Wynkoop Street, MS-8RA*  
*Denver, Colorado 80202*  
*(303) 312-6532*  
*[moon.diane@epa.gov](mailto:moon.diane@epa.gov)*

---

**From:** Conway, Laura (Lori) [<mailto:Lori.Conway@wilmerhale.com>]  
**Sent:** Wednesday, February 28, 2018 12:42 PM  
**To:** Moon, Diane <[Moon.Diane@epa.gov](mailto:Moon.Diane@epa.gov)>  
**Subject:** RE: ELI in Denver

Hi Diane,

I am so sorry, but we now have a conflict on the 12<sup>th</sup>. Would by any chance, April 5<sup>th</sup> in the afternoon work?

Many thanks!  
Lori Conway

---

**From:** Moon, Diane [<mailto:Moon.Diane@epa.gov>]  
**Sent:** Monday, February 26, 2018 12:03 PM  
**To:** Conway, Laura (Lori) <[Lori.Conway@wilmerhale.com](mailto:Lori.Conway@wilmerhale.com)>  
**Subject:** RE: ELI in Denver

Hi Lori,

April 12 looks like a good date. I will hold 2:00 to 7:00 on Mr. Benevento's calendar just to be on the safe side. If the time block changes, please let me know.

The previous event that was held for the Region 1 RA on February 15, was about 3.5 hours in length. Would this event be similar?

Who organizes and pays for the event? Are there sponsors? If so, who are they?

Is Mr. Benevento the only invited speaker?

Is the location already selected?

Andy's initial email indicated the presentations for these events are usually about policy and programmatic objectives. I would assume the focus would be as those relate to our specific region?

Thank you.

*Diane Rene Moon*  
*Staff Assistant to the Regional Administrator*  
*Office of the Regional Administrator*  
*1595 Wynkoop Street, MS-8RA*  
*Denver, Colorado 80202*  
*(303) 312-6532*  
*[moon.diane@epa.gov](mailto:moon.diane@epa.gov)*

---

**From:** Conway, Laura (Lori) [<mailto:Lori.Conway@wilmerhale.com>]  
**Sent:** Monday, February 26, 2018 10:47 AM  
**To:** Moon, Diane <[Moon.Diane@epa.gov](mailto:Moon.Diane@epa.gov)>  
**Subject:** RE: ELI in Denver

Hi Diane,

Hope you are well. So sorry that it took so long to get back to you, we are trying to figure out schedules. Would April 12<sup>th</sup> be a possibility for this event?

We believe this will be a late afternoon/early event timeframe.

Many thanks!

Lori

**Lori Conway | WilmerHale**  
Assistant to Andy Spielman,  
Kayla Byers and Sarah Judkins  
1225 Seventeenth St.  
Suite 2600  
Denver, CO 80202 USA  
+1 720 274 3136 (t)  
+1 720 274 3133 (f)  
[lori.conway@wilmerhale.com](mailto:lori.conway@wilmerhale.com)

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**From:** Conway, Laura (Lori)  
**Sent:** Wednesday, February 14, 2018 2:53 PM  
**To:** Moon, Diane <[Moon.Diane@epa.gov](mailto:Moon.Diane@epa.gov)>  
**Subject:** RE: ELI in Denver

Thanks, Diane. I will let Andy know and circle back with answers to your questions!

Thanks again!  
Lori Conway

---

**From:** Moon, Diane [<mailto:Moon.Diane@epa.gov>]  
**Sent:** Wednesday, February 14, 2018 12:17 PM  
**To:** Conway, Laura (Lori) <[Lori.Conway@wilmerhale.com](mailto:Lori.Conway@wilmerhale.com)>  
**Subject:** RE: ELI in Denver

Thank you Lori.

It is actually "douglas" in his email address.

I will print your message and and make sure he gets it. Please advise Andy that Mr. Benevento's calendar is pretty full into through March 16 but we will see what happens.

Mr. Benevento is traveling this week. I will be out until next Tuesday, after the holiday.

How much time is Andy asking for?  
What topic(s) would Andy like Mr. Benevento to address?

Thank you.

*Diane Rene Moon*  
*Staff Assistant to the Regional Administrator*  
*Office of the Regional Administrator*  
*1595 Wynkoop Street, MS-8RA*  
*Denver, Colorado 80202*  
*(303) 312-6532*  
*[moon.diane@epa.gov](mailto:moon.diane@epa.gov)*

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**From:** Conway, Laura (Lori) [<mailto:Lori.Conway@wilmerhale.com>]  
**Sent:** Wednesday, February 14, 2018 11:45 AM  
**To:** Moon, Diane <[Moon.Diane@epa.gov](mailto:Moon.Diane@epa.gov)>  
**Subject:** [SPAM-Sender] FW: ELI in Denver

Hi Diane,

Hope you are well. I am Andy's assistant and he cc'd me on the below email. Not sure if Mr. Benevento has two emails, but I see Andy sent the below email to [benevento.doug@epa.gov](mailto:benevento.doug@epa.gov) and I found another address with [Benevento.douglas@epa.gov](mailto:Benevento.douglas@epa.gov).

Can you make sure he receives the below email from Andy?

Many thanks!  
Lori Conway

---

**From:** Spielman, Andrew  
**Sent:** Wednesday, February 14, 2018 9:15 AM  
**To:** [benevento.doug@epa.gov](mailto:benevento.doug@epa.gov)  
**Cc:** [moon.diane@epa.gov](mailto:moon.diane@epa.gov); Conway, Laura (Lori) <[Lori.Conway@wilmerhale.com](mailto:Lori.Conway@wilmerhale.com)>  
**Subject:** ELI in Denver

Dear Administrator Benevento,

This follows our discussion of last week regarding an event hosted by the Environmental Law Institute to provide the Denver environmental and legal community an opportunity to meet with you. We have hosted similar events with RAs in other regions (including an event scheduled this week in Region 1) and found them to be quite useful. In the past we have structured the events as a brief presentation regarding policy and programmatic objectives, followed by Q&A and informal networking, but would be open to an alternative format if you have a different preference.

In terms of timing, we're aiming for early March. Please let us know if March 5 might work for your schedule, and, if so, what time is best that day. Alternatively March 2 could work for ELI as well.

I very much appreciate your consideration and promise this will be a light lift in terms of imposition on your time.

All best,

Andy

**Andrew Spielman | WilmerHale**  
+1 720 274 3161 (Denver)  
+1 202 663 6702 (Washington, DC)  
Ex. 6 - Personal Privacy (mobile)  
[andy.spielman@wilmerhale.com](mailto:andy.spielman@wilmerhale.com)

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Message

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**From:** Scaggs, Ben [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AC313E43B04F45C9B907BA5725AE80FA-SCAGGS, BEN]  
**Sent:** 3/1/2018 7:01:46 PM  
**To:** ethics [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d77d8564b916474a9312ec6c9c4dca55-ethics]  
**CC:** Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]; Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]; Bowie, John [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b01e3cbbc9684df8acb303ed47997f86-JBowie]  
**Subject:** Fwd: Ethics Travel for John Bowie (March 5, 2018)  
**Attachments:** FILLABLE Ethics Travel Form.pdf; ATT00001.htm

Per instruction.

Sent from my iPhone

Begin forwarded message:

**From:** "Bowie, John" <[Bowie.John@epa.gov](mailto:Bowie.John@epa.gov)>  
**Date:** March 1, 2018 at 10:48:47 AM CST  
**To:** "Scaggs, Ben" <[Scaggs.Ben@epa.gov](mailto:Scaggs.Ben@epa.gov)>  
**Cc:** "O'Hara, Beverly" <[Ohara.Beverly@epa.gov](mailto:Ohara.Beverly@epa.gov)>, "Fugh, Justina" <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Subject:** Ethics Travel for John Bowie (March 5, 2018)

Ben,

You are my DEO. Attached is my completed and signed Ethics Travel form for the trip on Monday, March 5<sup>th</sup>, with the Louisiana Governor's Office (Johnny Bradberry), and Ken Wagner (EPA Council Chair).

According to the instruction's in Justina's email (below), As my DEO, you are to review the form, then if you have no concerns or changes, forward this email and attachment to [ethics@epa.gov](mailto:ethics@epa.gov) with a cc to Jennie Keith. It might be a good idea to also cc: Justina Fugh since she is familiar with the trip and has approved Ken Wagner's Ethics Travel Form.

- 1) <!--[if !supportLists]--><!--[endif]-->The Deputy Ethics Official will then review the request. Then, if the DEO has no concerns or changes, the DEO will forward the email and attachment to [ethics@epa.gov](mailto:ethics@epa.gov) with a cc to Jennie Keith. Please put in the subject line: Ethics Travel for TRAVELER'S NAME (TRAVEL START DATE).

Thanks and call if you have any questions.

*John F. Bowie, P.E.*  
EPA Gulf of Mexico Program  
Office (228)679-5891 Cell (228)265-1774

---

**From:** O'Hara, Beverly  
**Sent:** Thursday, March 1, 2018 9:53 AM  
**To:** Bowie, John <[Bowie.John@epa.gov](mailto:Bowie.John@epa.gov)>  
**Cc:** O'Hara, Beverly <[Ohara.Beverly@epa.gov](mailto:Ohara.Beverly@epa.gov)>  
**Subject:** News about the ethics travel form ... what to do?

Here you go John. Please complete and return to Justina asap, pls copy me so I can attach to your TA.

---

**From:** Fugh, Justina  
**Sent:** Friday, January 12, 2018 3:20 AM  
**To:** OGC National Ethics Officials <[OGC\\_National\\_Ethics\\_Officials@epa.gov](mailto:OGC_National_Ethics_Officials@epa.gov)>  
**Subject:** News about the ethics travel form ... what to do?

Hello Again!

This email is the third in a series of emails we're sending out over the few days regarding your winter responsibilities as well as updates to the ethics program. This email discusses the use of the ethics travel form in Lotus Notes while we finish testing our new web-based ethics travel form (and finally migrate away from Lotus Notes). We expect to go live soon.

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At the end of 2017, EPA moved away finally from Lotus Notes, so those employees who did not get renewed subscription licenses turned into pumpkins. This email explains what you should for employees who want to submit an ethics travel form in the near term. For those employees who do not still have access to Lotus Notes, please follow these steps:

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- 2) <!--[if !supportLists]--><!--[endif]-->The employee then forwards the form via email to his or her Deputy Ethics Official. For now, OGC/Ethics will accept the forwarded email from the employee's email account in lieu of seeing a signature (in other words, we aren't going to make you actually sign a printed page).
- 3) <!--[if !supportLists]--><!--[endif]-->The Deputy Ethics Official will then review the request. Then, if the DEO has no concerns or changes, the DEO will forward the email and attachment to [ethics@epa.gov](mailto:ethics@epa.gov) with a cc to Jennie Keith. Please put in the subject line: Ethics Travel for TRAVELER'S NAME (TRAVEL START DATE).



- 4) <!--[if !supportLists]--><!--[endif]-->On Fridays, Jennie will review all the manual forms and then input them into the system. She will respond back to both the DEO and the traveler with approvals and/or questions for follow up, and attach a pdf of the final approval form for the voucher.

Whew! Please let us know if you have any questions, and thanks for sticking with us as we navigate through these tech changes!

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

Message

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**From:** Scaggs, Ben [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AC313E43B04F45C9B907BA5725AE80FA-SCAGGS, BEN]  
**Sent:** 3/1/2018 7:00:13 PM  
**To:** Bowie, John [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b01e3cbbc9684df8acb303ed47997f86-JBowie]  
**CC:** O'Hara, Beverly [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=404ac265b8ed4788bebbbff3a5c2b145-Ohara, Beve]; Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** Re: Ethics Travel for John Bowie (March 5, 2018)

Thx.

Sent from my iPhone

On Mar 1, 2018, at 10:48 AM, Bowie, John <[Bowie.John@epa.gov](mailto:Bowie.John@epa.gov)> wrote:

Ben,

You are my DEO. Attached is my completed and signed Ethics Travel form for the trip on Monday, March 5<sup>th</sup>, with the Louisiana Governor's Office (Johnny Bradberry), and Ken Wagner (EPA Council Chair).

According to the instruction's in Justina's email (below), As my DEO, you are to review the form, then if you have no concerns or changes, forward this email and attachment to [ethics@epa.gov](mailto:ethics@epa.gov) with a cc to Jennie Keith. It might be a good idea to also cc: Justina Fugh since she is familiar with the trip and has approved Ken Wagner's Ethics Travel Form.

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Thanks and call if you have any questions.

*John F. Bowie, P.E.  
EPA Gulf of Mexico Program  
Office (228)679-5891 Cell (228)265-1774*

---

**From:** O'Hara, Beverly  
**Sent:** Thursday, March 1, 2018 9:53 AM  
**To:** Bowie, John <[Bowie.John@epa.gov](mailto:Bowie.John@epa.gov)>  
**Cc:** O'Hara, Beverly <[Ohara.Beverly@epa.gov](mailto:Ohara.Beverly@epa.gov)>  
**Subject:** News about the ethics travel form ... what to do?

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**Sent:** Friday, January 12, 2018 3:20 AM  
**To:** OGC National Ethics Officials <[OGC\\_National\\_Ethics\\_Officials@epa.gov](mailto:OGC_National_Ethics_Officials@epa.gov)>  
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Whew! Please let us know if you have any questions, and thanks for sticking with us as we navigate through these tech changes!

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308  
North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004  
for the zip code) | phone 202-564-1786 | fax 202-564-1772

<FILLABLE Ethics Travel Form.pdf>

Message

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**From:** O'Hara, Beverly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=404AC265B8ED4788BEBBFF3A5C2B145-OHARA, BEVE]  
**Sent:** 3/1/2018 5:02:53 PM  
**To:** Bowie, John [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b01e3cbbc9684df8acb303ed47997f86-JBowie]; Scaggs, Ben [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ac313e43b04f45c9b907ba5725ae80fa-Scaggs, Ben]  
**CC:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** RE: Ethics Travel for John Bowie (March 5, 2018)

Ben,

Please copy me as well....I believe form should be attached to TA receipts. Thanks!

*Beverly O'Hara*

Beverly O'Hara, NCOA SEE, Executive Assistant to the Director  
U.S. EPA, Gulf of Mexico Program  
2510 14<sup>th</sup> St., Suite 1212 One Hancock Plaza  
Gulfport MS 39501  
Direct Phone: 228-679-5915  
E-mail: [ohara.beverly@epa.gov](mailto:ohara.beverly@epa.gov)

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**From:** Bowie, John  
**Sent:** Thursday, March 01, 2018 10:49 AM  
**To:** Scaggs, Ben <[Scaggs.Ben@epa.gov](mailto:Scaggs.Ben@epa.gov)>  
**Cc:** O'Hara, Beverly <[Ohara.Beverly@epa.gov](mailto:Ohara.Beverly@epa.gov)>; Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
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John F. Bowie, P.E.  
EPA Gulf of Mexico Program  
Office (228)679-5891 Cell (228)265-1774

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**Sent:** Thursday, March 1, 2018 9:53 AM  
**To:** Bowie, John <[Bowie.John@epa.gov](mailto:Bowie.John@epa.gov)>  
**Cc:** O'Hara, Beverly <[Ohara.Beverly@epa.gov](mailto:Ohara.Beverly@epa.gov)>  
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Whew! Please let us know if you have any questions, and thanks for sticking with us as we navigate through these tech changes!

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

Message

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**From:** DeLuca, Isabel [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=0B021C30CBEE4637A7C7CA683E5E044A-IDELUCA]  
**Sent:** 3/28/2018 3:58:39 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** FW: EFBC speaker Mandy Gunasekara  
**Attachments:** Event Form OAR AA for Mandy.pdf

Hi Justina,

Mandy Gunasekara in OAR IO has been asked to speak at the Eastern Fuel Buyers Conference on May 9-11 at Disney's Yacht and Beach Club Resort in Florida. Attached is a form that contains a description of the event. Alex Dominguez is also planning to attend the conference. The conference organizers have offered to waive the registration fee for Mandy and for Alex, and to pay for Mandy's hotel for two nights. Is it ok for Mandy and Alex to receive free registration? Likewise, is Mandy allowed to accept their offer to pay for her room?

Thanks, in advance, for your help,  
Isabel

Isabel DeLuca  
Office of Air and Radiation, US EPA  
(202) 343-9247

---

**From:** [romy@globalrcbi.com](mailto:romy@globalrcbi.com) [mailto:[Romy@globalrcbi.com](mailto:Romy@globalrcbi.com)]  
**Sent:** Tuesday, March 27, 2018 8:14 PM  
**To:** DeLuca, Isabel <[DeLuca.Isabel@epa.gov](mailto:DeLuca.Isabel@epa.gov)>  
**Cc:** Atkinson, Emily <[Atkinson.Emily@epa.gov](mailto:Atkinson.Emily@epa.gov)>  
**Subject:** RE: EFBC speaker Mandy Gunasekara

Hello Isabel,

Please find attached the completed form. Is there anything else you need that I may assist with?

Thank you.

Kind regards,

*Romy*

GLOBAL RCBI ~ EFBC Conference Coordinators  
1-407-438-9600

[info@EastFuelConf.com](mailto:info@EastFuelConf.com)

Website: <http://www.globalrcbi.com> / [www.eastfuelconf.com](http://www.eastfuelconf.com)

Conference dates: 9 - 11 May 2018 at Disney Yacht & Beach Club Resort!

We thank our sponsors: <https://eastfuelconf.com/sponsors/>



---

**From:** [romy@globalrcbi.com](mailto:romy@globalrcbi.com) [mailto:[Romy@GlobalRCBI.com](mailto:Romy@GlobalRCBI.com)]  
**Sent:** Thursday, March 15, 2018 2:53 PM



**To:** 'DeLuca, Isabel'  
**Cc:** 'Atkinson, Emily'  
**Subject:** RE: EFBC speaker Mandy Gunasekara

Hello Isabel,

Wanted to let you know that I am working on it. Will be back to you soon.

Kind regards,  
Romy

---

**From:** DeLuca, Isabel [<mailto:DeLuca.Isabel@epa.gov>]  
**Sent:** Wednesday, March 14, 2018 10:35 AM  
**To:** [romy@globalrcbi.com](mailto:romy@globalrcbi.com)  
**Cc:** Atkinson, Emily  
**Subject:** FW: EFBC speaker Mandy Gunasekara

Hi Romy,

Thank you for your recent invitation to Mandy Gunasekara to speak at the Eastern Fuel Buyers Conference in May in Orlando, Florida. When you have a chance, could you please fill out and return the attached speaker request form? This will help us as we make plans for this event.

Many thanks,

Isabel DeLuca  
Deputy Director of Communications  
Office of Air and Radiation, US EPA  
(202) 343-9247

---

**From:** Gunasekara, Mandy  
**Sent:** Tuesday, March 13, 2018 9:33 PM  
**To:** [romy@globalrcbi.com](mailto:romy@globalrcbi.com)  
**Cc:** Atkinson, Emily <[Atkinson.Emily@epa.gov](mailto:Atkinson.Emily@epa.gov)>; Dominguez, Alexander <[dominguez.alexander@epa.gov](mailto:dominguez.alexander@epa.gov)>  
**Subject:** Re: EFBC speaker Mandy Gunasekara

Hey Romy,

Thank you for the confirmation email. I'm looping in Emily Atkinson who helps with the travel logistics and Alex Dominguez who I am hoping to bring as a guest. We will follow up tomorrow to touch base on logistics and provide updated info.

Best,  
Mandy

Sent from my iPhone

On Mar 13, 2018, at 7:17 PM, [romy@globalrcbi.com](mailto:romy@globalrcbi.com) <[Romy@GlobalRCBI.com](mailto:Romy@GlobalRCBI.com)> wrote:

Hello Mandy,

We are delighted that you will be speaking at the Eastern Fuel Buyers Conference in May in Orlando, Florida!

Your speaking spot is either Thu 10 or Fri 11 May in the morning. We will confirm the exact time in the next few weeks.

I'll be taking care of your complimentary conference registration for you and a guest as well as your room reservation. The conference will pay for 2 nights hotel stay. What will be your arrival and departure dates please? And will you be bringing a guest?

Also, for your conference registration, are your coordinates still the same?:

Mandy Gunasekara  
Senior Policy Advisor  
Environmental Protection Agency  
1200 Pennsylvania Avenue NW Suite 1101-A  
Washington, DC 20460  
Tel 202-564-2314  
Mobile 202-306-8538

I have attached the bio and photo we have on file for you. Please let me know if there are any updates or changes, thanks!!

Here is a list of the current attendees: <https://eastfuelconf.com/attendees/>

Looking forward to hearing from you. Please don't hesitate to contact me should you have any questions.

Kind regards,

*Romy*

GLOBAL RCBI ~ EFBC Conference Coordinators

1-407-438-9600

[info@EastFuelConf.com](mailto:info@EastFuelConf.com)

Website: <http://www.globalrcbi.com> / [www.eastfuelconf.com](http://www.eastfuelconf.com)

Conference dates: 9 - 11 May 2018 at Disney Yacht & Beach Club Resort!

We thank our sponsors: <https://eastfuelconf.com/sponsors/>

<image001.jpg>



This email has been checked for viruses by Avast antivirus software.

[www.avast.com](http://www.avast.com)

<Bio Gunasekara, Mandy, EPA.docx>

<photo Gunasekara, Mandy, EPA.jpg>

Message

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**From:** Griffo, Shannon [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6C901EB2C3BA4556A4A581B8816D5A9A-VALLANCE, SHANNON]  
**Sent:** 2/22/2018 7:48:53 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** FW: Ethics Check: EEI on 3/8

FYI that David Ross signed his recusal statement. I'll follow-up if we don't get a copy by early next week.

---

**From:** Kitamura, Louise  
**Sent:** Thursday, February 22, 2018 1:11 PM  
**To:** Griffo, Shannon <Griffo.Shannon@epa.gov>  
**Subject:** RE: Ethics Check: EEI on 3/8

I'm so glad you asked about the recusal memo. Dave signed it last week, and I was told that it is being delivered through CMS. I'm working remotely today (and compressed tomorrow). I can send you a pdf on Monday but I don't have a copy at home.

*Louise Kitamura*  
*Office of Water*  
*(o) 202-564-1731*

(c) Ex. 6 - Personal Privacy

---

**From:** Griffo, Shannon  
**Sent:** Thursday, February 22, 2018 12:24 PM  
**To:** Kitamura, Louise <Kitamura.Louise@epa.gov>  
**Subject:** RE: Ethics Check: EEI on 3/8

Hi Louise,

As long as the Administration agrees it is in the Agency's best interest for David to share OW's "strategic and regulatory priorities," then I don't see any ethical issues with him speaking at this event. However, he needs to be cautious because the Edison Electric Institute is a federally registered lobbyist. Since he signed the Trump ethics pledge, he cannot accept any gifts from a federally registered lobbyist. See [OGE's Legal Advisory DO-09-007](#), the Lobbyist Gift Ban Guidance for pledge signers.

And since they are asking him to speak specifically about WOTUS, it reminded me that we haven't seen a signed copy of his recusal statement. Has David signed it yet? If so, please send Justina and I a copy.

Thanks,  
Shannon

Shannon Griffo  
Ethics Attorney  
Office of General Counsel, Ethics  
U.S. Environmental Protection Agency  
(202) 564-7061  
[Griffo.Shannon@epa.gov](mailto:Griffo.Shannon@epa.gov)

---

**From:** Kitamura, Louise  
**Sent:** Thursday, February 22, 2018 8:37 AM  
**To:** Griffo, Shannon <[Griffo.Shannon@epa.gov](mailto:Griffo.Shannon@epa.gov)>  
**Subject:** FW: Ethics Check: EEI on 3/8

Hi Shannon,

Can you help me? I'm still learning on what could potentially be ethics concerns of staff attending/speaking at conferences—and want to be extra careful. Do you see any problems with the OW AA speaking at the Edison Electric Institute in front of 30-50 energy company VPs?

Thanks in advance,

*Louise Kitamura*  
*Office of Water*  
*(o) 202-564-1731*

(c) Ex. 6 - Personal Privacy

---

**From:** Mayer, Lauren  
**Sent:** Wednesday, February 21, 2018 3:36 PM  
**To:** Kitamura, Louise <[Kitamura.Louise@epa.gov](mailto:Kitamura.Louise@epa.gov)>  
**Subject:** Ethics Check: EEI on 3/8

Hi Louise,

Dave Ross has accepted a speaking request with the Edison Electric Institute during their Environment Executive Advisory Committee meeting at 701 Pennsylvania Ave NW in Washington, DC on 3/8 between 8:30am and 11am. This meeting does not have a fee and is comprised of 30-50 energy company V.P's., directors and staff with responsibility for environmental management at the nation's investor-owned energy companies. Dave will be speaking for about 20 minutes plus a 10 minute Q&A during this event.

I have attached the speaker request form.

Thanks,  
Lauren

Lauren Mayer  
ORISE Participant  
Office of Water  
U.S. Environmental Protection Agency  
Phone: 202-564-0408  
[Mayer.Lauren@epa.gov](mailto:Mayer.Lauren@epa.gov)

Message

---

**From:** Cheatham-Strickland, Latonia [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E0153E074B9640F1B6AA32CFDA4F4BF9-STRICKLAND,]  
**Sent:** 3/26/2018 5:52:09 PM  
**To:** Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]  
**CC:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]; Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]  
**Subject:** RE: Ethics Form for Trip leaving on March 26

Thanks!

Best Regards,

Latonia

---

**From:** Keith, Jennie  
**Sent:** Monday, March 26, 2018 1:13 PM  
**To:** Cheatham-Strickland, Latonia <Cheatham-Strickland.Latonia@epa.gov>  
**Cc:** Fugh, Justina <Fugh.Justina@epa.gov>; Wagner, Kenneth <wagner.kenneth@epa.gov>  
**Subject:** Re: Ethics Form for Trip leaving on March 26

I approve this ethics travel form and will process it in the system on Tuesday! Jennie for OGC/Ethics

Sent from my iPhone

On Mar 23, 2018, at 9:29 PM, Cheatham-Strickland, Latonia <[Cheatham-Strickland.Latonia@epa.gov](mailto:Cheatham-Strickland.Latonia@epa.gov)> wrote:

Good Afternoon,

Attached is the Ethics form for Kenneth Wagner. Apologies for the late reply.

Best Regards,

Latonia

Latonia Cheatham Strickland  
Special Assistant to the Senior Advisor  
for Regional and State Affairs  
Office of Congressional & Intergovernmental Relations  
U.S. Environmental Protection Agency  
Office Phone: (202) 564-7930  
EPA Cellphone: (202) 379-8493  
[Cheatham-strickland.latonia@epa.gov](mailto:Cheatham-strickland.latonia@epa.gov)

<FILLABLE Ethics Travel232.pdf>

Message

---

**From:** Ada Furciniti [afurciniti@NRCC.org]  
**Sent:** 3/7/2018 2:16:51 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** Re: [EXTERNAL] questions from US EPA's Ethics Office

We are happy to pay if necessary! And we will not put his title on anything - I would assume he wouldn't want to wear a name tag, but we will have one without a title just in case! Thank you so much for your help with this!

Ada Furciniti

---

**From:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Sent:** Tuesday, March 6, 2018 8:42:55 PM  
**To:** Ada Furciniti  
**Subject:** Re: [EXTERNAL] questions from US EPA's Ethics Office

I did think of another thing ... because yours is a political group, EPA will not be able to pay for any local travel expenses associated with the event. Luckily enough for us, the event is easy walking distance from EPA. But if for security reasons he is driven, then EPA may need to bill you for the mileage, which is likely going to be a very minimal amount. Still, I would like to be sure that he remains above any claims of improper behavior. Will your organization agree to pay the bill (again, likely to be minimal, less than \$5)? Also, EPA will prefer that Mr Pruitt attend in his personal capacity, not as the Administrator. To that end, we ask that you not refer to him by his title or include his title in any name tag. Will that be acceptable to you as well?

Justina

Sent from my iPhone

On Mar 6, 2018, at 8:25 PM, Ada Furciniti <afurciniti@NRCC.org> wrote:

Thank you! Please let us know if any other forms/details are needed!

Ada Furciniti

---

**From:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Sent:** Tuesday, March 6, 2018 8:23:57 PM  
**To:** Ada Furciniti  
**Subject:** Re: [EXTERNAL] questions from US EPA's Ethics Office

Thanks so much! I will cycle back with Hayley Ford with the advice.

Sent from my iPhone

On Mar 6, 2018, at 4:27 PM, Ada Furciniti <afurciniti@NRCC.org> wrote:

Thank you so much for reaching out Justina! Please see below for answers to your questions.

Is this considered to be a fundraising event?

This is a thank you reception for our donors who have made past contributions to the committee.

Will the speakers (if any) ask for donations?

No

Will there be a table or booth or other place set up for people to make donations?

No

With respect to use of his title, is it your intention to have name tags available or used?

There will be name tags available

Will Mr. Pruitt's name be used in any of the promotional materials?

No

Please let us know if you need anything else! Thank you!!

**Ada Furciniti**

Finance Coordinator

National Republican Congressional Committee

W: (202) 479-7063 | C: Ex. 6 - Personal Privacy

---

**From:** Fugh, Justina [<mailto:Fugh.Justina@epa.gov>]

**Sent:** Tuesday, March 6, 2018 3:44 PM

**To:** Ada Furciniti <[afurciniti@NRCC.org](mailto:afurciniti@NRCC.org)>

**Subject:** [EXTERNAL] questions from US EPA's Ethics Office

Dear Ms. Furciniti,

My name is Justina Fugh, and I am the Senior Counsel for Ethics at the United States Environmental Protection Agency (EPA). I understand that your political organization wishes to invite E. Scott Pruitt, the EPA Administrator, to attend the Chairman's Reception of the National Republican Congressional Committee on March 20. As you know, Mr. Pruitt is a federal employee subject to the Hatch Act which places certain restrictions on his political activity. Among other things, he is not permitted to use his EPA official authority in connection with political activity, nor can he be engaged in any fundraising effort.

To determine the parameters for Mr. Pruitt's attendance, I am writing to ask you some questions about the event and to share with you the ground rules. Could you, please, review the attached ground rules and then consider and reply to the questions below?

You mention in your email that there will be donors present. Is this considered to be a fundraising event? Will the speakers (if any) ask for donations? Will there be a table or booth or other place set up for people to make donations? With respect to use of his title, is it your intention to have name tags available or used? Will Mr. Pruitt's name be used in any of the promotional materials?

We hope that will understand that our intention is to ensure that Mr. Pruitt is able to abide by the Hatch Act, and we will appreciate your assistance in ensuring that he does.

Thank you,

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC

20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

**From:** Ada Furciniti [<mailto:afurciniti@NRCC.org>]  
**Sent:** Wednesday, February 28, 2018 2:01 PM  
**To:** Ford, Hayley <[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)>  
**Cc:** Emma Nelson <[enelson@NRCC.org](mailto:enelson@NRCC.org)>  
**Subject:** Request for Administrator Pruitt to Attend NRCC Reception

Good afternoon Hayley –

The National Republican Congressional Committee would like to invite Administrator Pruitt to attend a reception on Tuesday, March 20<sup>th</sup>. The details of the event are below.

**NRCC Chairman's Reception**

Tuesday, March 20, 2018  
4:15pm – 5:15pm  
The Willard Offices, 12<sup>th</sup> Floor Terrace  
1455 Pennsylvania Ave NW, Washington, DC

There will be between 150 and 200 attendees, including House Leadership, Members of Congress, and NRCC donors from Washington, DC and around the country who are members of our Chairman's Club. Brief remarks will be made by members of Leadership.

We would love it if Administrator Pruitt would join us to mix and mingle with attendees at this event!

Please let us know what else you need from us! Thank you!

**Ada Furciniti**  
Finance Coordinator  
National Republican Congressional Committee  
W: (202) 479-7063 | C: Ex. 6 - Personal Privacy



Message

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**From:** Keith, Jennie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=79C2D25E4DFE45CEAF788A87F714CC0F-JKEITH]  
**Sent:** 3/7/2018 12:33:15 AM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** Chamber of Commerce - June 20  
**Attachments:** EPA Administrator Pruitt Speaker Request Form.docx

This one was for June 20

---

**From:** Hupp, Sydney  
**Sent:** Monday, May 22, 2017 1:21 PM  
**To:** Keith, Jennie <Keith.Jennie@epa.gov>  
**Subject:** Have I sent this one to you?

For approval. Thanks!

---

**Sydney Hupp**  
Executive Scheduler  
Office of the Administrator  
202.816.1659 (c)

Message

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**From:** Keith, Jennie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=79C2D25E4DFE45CEAF788A87F714CC0F-JKEITH]  
**Sent:** 3/7/2018 12:31:30 AM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** FW: U.S. Chamber of Commerce - 10th Anniversary Energy Summit

I'll look at the incoming to see when the event was.

---

**From:** Keith, Jennie  
**Sent:** Friday, May 26, 2017 4:52 PM  
**To:** Hupp, Sydney <hupp.sydney@epa.gov>  
**Subject:** U.S. Chamber of Commerce - 10th Anniversary Energy Summit

Hi there,

There are **no ethics concerns** with respect to this event. It may be important to know that the organization extending the offer is a lobbying organization. The White House Ethics Pledge prohibits acceptance of gifts from lobbyists, but as there is no gift offered, the Ethics Pledge is not implicated. This information is provided solely for your consideration. See the following for more complete details.

Best, Jennie for OGC/Ethics

**White House Ethics Pledge**

The White House Ethics Pledge does not allow political appointees to accept gifts from registered lobbyists. The persons extending the invitation are registered lobbyists or lobbying organizations, therefore if the official speaks, he must be careful about the organization offering him a tangible gift to take home with him.

**Acceptance of Free Attendance (including meals)**

Because the official has been invited to speak and present information on behalf of the agency, pursuant to 5 CFR 2635.204(g)(1), acceptance of free attendance and any meals provided **on the day of the event** is not considered a gift. The official's participation in the event is viewed as a customary and necessary part of his performance of the event and does not involve a gift to him or to the agency. While free attendance will cover a meal that is provided to all attendees, it does not cover side events, receptions, and other meals (like a speaker's dinner) that are not open to all attendees.

**Financial Disclosure Implications**

Because this is not a gift, there are no financial disclosure reporting obligations.

---

**From:** Hupp, Sydney  
**Sent:** Monday, May 22, 2017 1:21 PM  
**To:** Keith, Jennie <Keith.Jennie@epa.gov>  
**Subject:** Have I sent this one to you?

For approval. Thanks!

---

**Sydney Hupp**

Executive Scheduler  
Office of the Administrator  
202.816.1659 (c)

Message

---

**From:** Keith, Jennie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=79C2D25E4DFE45CEAF788A87F714CC0F-JKEITH]  
**Sent:** 3/7/2018 12:30:42 AM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** FW: National Mining Association- For Approval  
**Attachments:** Nationa Mining Association April 24, 2017 .docx

Advice for the April event.

---

**From:** Keith, Jennie  
**Sent:** Wednesday, April 05, 2017 11:33 PM  
**To:** Hupp, Sydney <hupp.sydney@epa.gov>  
**Cc:** Hupp, Millan <hupp.millan@epa.gov>  
**Subject:** Fw: National Mining Association- For Approval

Hi Sydney,

There are **no ethics concerns** with respect to this event. It may be important to know that the organization extending the offer is a lobbying organization. The White House Ethics Pledge prohibits acceptance of gifts from lobbyists, but as there is no gift offered, the Ethics Pledge is not implicated. This information is provided solely for your consideration. See the following for more complete details.

Best, Jennie for OGC/Ethics

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The White House Ethics Pledge does not allow political appointees to accept gifts from registered lobbyists. The persons extending the invitation are registered lobbyists or lobbying organizations, therefore if the official speaks, he must be careful about the organization offering him a tangible gift to take home with him.

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Because the official has been invited to speak and present information on behalf of the agency, pursuant to 5 CFR 2635.204(g)(1), acceptance of free attendance and any meals provided **on the day of the event** is not considered a gift. The official's participation in the event is viewed as a customary and necessary part of his performance of the event and does not involve a gift to him or to the agency. While free attendance will cover a meal that is provided to all attendees, it does not cover side events, receptions, and other meals (like a speaker's dinner) that are not open to all attendees.

**Financial Disclosure Implications**

Because this is not a gift, there are no financial disclosure reporting obligations.

---

**From:** Fugh, Justina  
**Sent:** Wednesday, April 5, 2017 8:57 PM  
**To:** Keith, Jennie  
**Subject:** FW: National Mining Association- For Approval

---

**From:** Hupp, Sydney  
**Sent:** Thursday, March 30, 2017 10:25 AM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Cc:** Hupp, Millan <[hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)>  
**Subject:** National Mining Association- For Approval

Thank you!

Sydney Hupp  
Office of the Administrator- Scheduling  
202.816.1659

Message

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**From:** Hewitt, James [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=41B19DD598D340BB8032923D902D4BD1-HEWITT, JAM]  
**Sent:** 2/5/2018 1:31:25 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** RE: Ethics sign-off on gala invitation

Great, thank you!

---

**From:** Fugh, Justina  
**Sent:** Sunday, February 4, 2018 10:04 PM  
**To:** Hewitt, James <hewitt.james@epa.gov>  
**Subject:** RE: Ethics sign-off on gala invitation

Hi Jim,

This note confirms the advice I provided to you orally on Thursday of last week. As I recall, you are an AD appointee so you did not sign the Trump ethics pledge (as is required of political appointees). Thus, even though the Americans for Tax Reform entity is a federally registered lobbyist (and it is), you are not prohibited from accepting a gift from them to go to a widely attended gathering. To be clear, if you were a political appointee, then even though this event purports to be free, you could not attend because going to a widely attended gathering is not an exception to the lobbying gift ban.

In this case, though, you have been invited by the sponsor of the event, and we anticipate that there will be a diversity of interests represented at the event and more than 50 people present. I'll conclude that your attendance furthers an agency interest so that you can attend, but you will be attending in your personal capacity only. You will not be representing EPA nor should you identify yourself with reference to EPA alone. You cannot ask EPA to pay for your commuting expenses to this event or for any parking, etc. I cannot ascertain the value of the ticket that you are getting for free, but if it's more than \$390, then you will have to report this gift on your next financial disclosure report as a gift of free attendance.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** Hewitt, James  
**Sent:** Wednesday, January 31, 2018 10:47 AM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** Ethics sign-off on gala invitation

Hi Justina,

I've been invited to attend the Americans for Tax Reform "Tax Reform Gala" next Thursday. Is this something I am allowed to attend?

Thanks,  
James

James Hewitt  
Environmental Protection Agency  
Press Secretary  
(202) 578-6141

Hello!

Just a quick reminder, we are hosting a Tax Reform Gala on Thursday, February 8th and would like to invite you to attend as our guest. Please find the invitation below.

If you would like to join us, please RSVP to [Gala@atr.org](mailto:Gala@atr.org). This email is just a reminder so if you've already RSVPed, no need to do so again.

We hope to see you!

All the best,  
Megan

**Megan Worley**

*Americans for Tax Reform* | o: 202-785-0266 | d. 202-785-2368

*& Americans for Tax Reform Foundation* | [www.atr.org](http://www.atr.org) | [Facebook](#) | [Twitter](#)



AMERICANS FOR TAX REFORM FOUNDATION'S

# *Tax Reform Gala*

You are cordially invited to join Americans for Tax Reform Foundation and our sponsors at a Gala celebrating the historic passing of tax reform.

Thursday, February 8, 2018

*6:30-10:30 in the evening*

The Arts Club of Washington

*2017 I Street, NW Washington, DC 20006*

Black Tie Preferred

If you would like to attend, please RSVP to [Gala@atr.org](mailto:Gala@atr.org) no later than Thursday, February 1<sup>st</sup>. You will then receive a password protected link to register for your ticket.



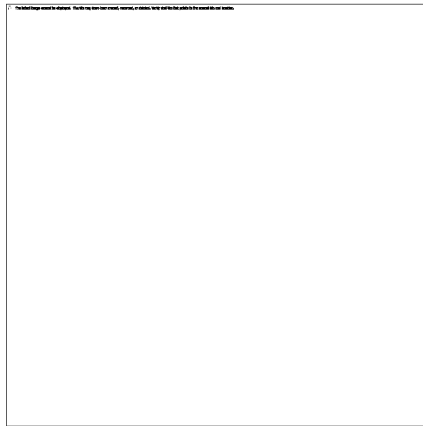
*This will be a ticketed event and all guests must have a ticket to enter. Guests must be 21 or over to attend. IDs will be checked upon arrival. This invitation is non transferrable. Please do not forward. This event is undertaken in compliance with Congressional Ethics Rules and other applicable laws. This is a widely attended event.*

Americans for Tax Reform | 722 12th St. NW, 4th Floor, WASHINGTON, DC 20003

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Sent by [mworley@atr.org](mailto:mworley@atr.org) in collaboration with



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Message

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**From:** Atkinson, Emily [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=BB2155ADEF6A44AEA9410741F0C01D27-ATKINSON, EMILY]  
**Sent:** 1/10/2018 1:19:23 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**CC:** Lewis, Josh [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b22d1d3bb3f84436a524f76ab6c79d7e-JOLEWIS]; Watkins, Erica [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=13f4969d64f849f1b583efeb476fa9bf-Watkins, Erica]  
**Subject:** RE: Attendance at the 2018 North American International Auto Show and reception/Dinner

Wonderful - thank you Justina! I have made a note to be sure I do not claim per diem for these travelers on 1/16 for lunch or dinner.

Emily Atkinson  
Management Analyst/Office Manager  
Immediate Office of the Assistant Administrator  
Office of Air and Radiation, USEPA  
Room 5412B, 1200 Pennsylvania Avenue NW  
Washington, DC 20460  
Voice: 202-564-1850  
Email: atkinson.emily@epa.gov

---

**From:** Fugh, Justina  
**Sent:** Tuesday, January 09, 2018 9:14 PM  
**To:** Atkinson, Emily <Atkinson.Emily@epa.gov>  
**Cc:** Lewis, Josh <Lewis.Josh@epa.gov>; Watkins, Erica <Watkins.Erica@epa.gov>  
**Subject:** RE: Attendance at the 2018 North American International Auto Show and reception/Dinner

Hi,  
For everyone in travel status, OGC/ethics will do an ethics travel form to cover their lunch (paid by the Association of Global Automobile Makers) and the reception/dinner (paid for by the Alliance of Automobile Manufacturers). Here are the forms for the OAR front office, and I appreciate that Emily has said that they will not claim per diem for these meals.

I still need to do the ethics travel forms for Karl Simon, and also work with Erica on a WAG determination for the career people who are not in travel status. Erica – can you call me, please?  
Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** Atkinson, Emily  
**Sent:** Tuesday, January 09, 2018 4:36 PM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Cc:** Lewis, Josh <[Lewis.Josh@epa.gov](mailto:Lewis.Josh@epa.gov)>; Watkins, Erica <[Watkins.Erica@epa.gov](mailto:Watkins.Erica@epa.gov)>  
**Subject:** RE: Attendance at the 2018 North American International Auto Show and reception/Dinner  
**Importance:** High

Hi Justina,

Bill Wehrum, Mandy Gunasekara, Clint Woods and David Harlow have individually told me they would like to take your recommendation to use the travel ethics form to accept the lunch and reception/dinner gifts.

I will prepare their travel vouchers and will then not claim per diem for either meal.

When the travel ethics forms are completed on your end, could you send me a copy?

Let me know if you need anything else at this point.

Emily

Emily Atkinson  
Management Analyst/Office Manager  
Immediate Office of the Assistant Administrator  
Office of Air and Radiation, USEPA  
Room 5412B, 1200 Pennsylvania Avenue NW  
Washington, DC 20460  
Voice: 202-564-1850  
Email: [atkinson.emily@epa.gov](mailto:atkinson.emily@epa.gov)

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**From:** Atkinson, Emily  
**Sent:** Monday, January 08, 2018 9:04 AM  
**To:** Harlow, David <[harlow.david@epa.gov](mailto:harlow.david@epa.gov)>; Wehrum, Bill <[Wehrum.Bill@epa.gov](mailto:Wehrum.Bill@epa.gov)>; Gunasekara, Mandy <[Gunasekara.Mandy@epa.gov](mailto:Gunasekara.Mandy@epa.gov)>; Woods, Clint <[woods.clint@epa.gov](mailto:woods.clint@epa.gov)>  
**Cc:** Lewis, Josh <[Lewis.Josh@epa.gov](mailto:Lewis.Josh@epa.gov)>; Watkins, Erica <[Watkins.Erica@epa.gov](mailto:Watkins.Erica@epa.gov)>; Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Subject:** FW: Attendance at the 2018 North American International Auto Show and reception/Dinner  
**Importance:** High

Hi Bill, David, Mandy and Clint,

Please review the options outlined below and let me know by COB today how you would like for Justina to complete your ethics forms for the lunch and reception/dinner at next week's Detroit Auto Show.

At the bottom of Justina's email you will see her recommendation is highlighted.

And OTAQ is working now to confirm the cost of the lunch – it is somewhere between \$18 - \$24.

Thanks.  
Emily

Emily Atkinson  
Management Analyst/Office Manager

Immediate Office of the Assistant Administrator  
Office of Air and Radiation, USEPA  
Room 5412B, 1200 Pennsylvania Avenue NW  
Washington, DC 20460  
Voice: 202-564-1850  
Email: [atkinson.emily@epa.gov](mailto:atkinson.emily@epa.gov)

---

**From:** Fugh, Justina

**Sent:** Friday, January 05, 2018 10:43 PM

**To:** Watkins, Erica <[Watkins.Erica@epa.gov](mailto:Watkins.Erica@epa.gov)>

**Cc:** Atkinson, Emily <[Atkinson.Emily@epa.gov](mailto:Atkinson.Emily@epa.gov)>; Christian, Pamela <[Christian.Pamela@epa.gov](mailto:Christian.Pamela@epa.gov)>; OGC Ethics <[OGC\\_Ethics@epa.gov](mailto:OGC_Ethics@epa.gov)>

**Subject:** RE: Attendance at the 2018 North American International Auto Show and reception/Dinner

Hi there,

For the upcoming Detroit Auto show, you once again have a mix of employees attending, some of whom will be in travel status while others will not. Set forth below is the ethics analysis for each of the gifts that you identified. Please note that the decisions depended on the employee's type of appointment and whether or not s/he will be in travel status or not.

ANTICIPATED GIFT	SPONSORED BY:	VALUE	ETHICS DETERMINATION
Press Preview Day – Tuesday January 16, 2018.	Detroit Auto Dealers Association (not a federally registered lobbyist)	\$18 for ticket	Both career and non career employees may accept this gift. The donor is not a federally registered lobbyist, and the gift is less than \$20. This gift DOES NOT include the lunch, which is sponsored by another entity.
Lunch on press preview day	Association of Global Automobile Makers (is a federally registered lobbyist)	Unknown. OTAQ needs to find out how much this lunch will be per person.	<p>POLITICAL APPOINTEES</p> <ul style="list-style-type: none"><li>• Option 1 – OGC/Ethics does an ethics travel form for each political to accept this lunch. We will need to know the value of the meal AND the political appointee cannot also claim per diem on his/her voucher for this meal; or</li><li>• Option 2 – each political appointee pays out of pocket for the meal and then can claim per diem on the voucher.</li></ul> <p>CAREER EMPLOYEES</p> <ul style="list-style-type: none"><li>• If in travel status, then OGC/Ethics will do an ethics travel form to allow them to accept the lunch.</li><li>• The Cobo Arena is 40.5 miles from Ann Arbor, so any OTAQ/AA</li></ul>

			employees will NOT be in travel status. For them, OGC/Ethics will have to consider whether we can call just the lunch a widely attended gathering. We'll consider that once we know how much the lunch is.
Reception/Dinner at 6:30 P.M. at the Wright & Co Restaurant 1500 Woodward Avenue Detroit, MI 48226	Alliance of Automobile manufacturers (is a federally registered lobbyist)	\$45	<p>POLITICAL APPOINTEES</p> <ul style="list-style-type: none"> <li>• Option 1 – OGC/Ethics does an ethics travel form for each political to accept this lunch. We will need to know the value of the meal AND the political appointee cannot also claim per diem on his/her voucher for this meal; or</li> <li>• Option 2 – each political appointee pays out of pocket for the meal and then can claim per diem on the voucher.</li> </ul> <p>CAREER EMPLOYEES</p> <ul style="list-style-type: none"> <li>• In this instance, the gift of free attendance is offered to because of their official position. In analyzing the situation, OGC/Ethics determines that this event is a widely attended gathering (WAG). There will be more than 100 people present representing a diversity of views represented, and there is an opportunity for the exchange of ideas. In order to utilize this gift exception, OGC/Ethics must also make a written determination that we believe your attendance is in the Agency's interest. We do, in fact, conclude that there is an Agency interest in their attendance. No career employee will have to pay for the dinner, but if they are from Ann Arbor, then they will be personally responsible for paying for any parking and mileage costs out of pocket. They will not be able to seek local travel reimbursement for this dinner.</li> </ul>

I am assuming that it'll be easier for the politicals if OGC/Ethics uses the ethics travel form to accept the meals from the lobbyists. But if we do, then Emily has to be sure to advise the travel preparers not to claim per diem for those meals! And because I don't know the value of the lunch, I didn't do all of the ethics travel forms yet. I can do them all at the same time, once I know the value of the lunch.

Justina

---

**From:** Watkins, Erica

**Sent:** Wednesday, January 03, 2018 10:41 AM

**To:** ethics <ethics@epa.gov>

**Cc:** Fugh, Justina <Fugh.Justina@epa.gov>; Atkinson, Emily <Atkinson.Emily@epa.gov>; Christian, Pamela <Christian.Pamela@epa.gov>

**Subject:** Fwd: Attendance at the 2018 North American International Auto Show and reception/Dinner

Good Morning Ethics Team

I am just writing to check in on the status of this ethics review request

Thanks

Erica

Sent from my iPhone

Begin forwarded message:

**From:** "Watkins, Erica" <Watkins.Erica@epa.gov>

**Date:** December 18, 2017 at 10:12:44 AM EST

**To:** ethics <ethics@epa.gov>

**Cc:** "Fugh, Justina" <Fugh.Justina@epa.gov>, "Christian, Pamela" <Christian.Pamela@epa.gov>

**Subject:** Attendance at the 2018 North American International Auto Show and reception/Dinner

Good Morning Ethics team

I am submitting a request for 4 political appointees and 5 career staff to attend the 2018 North American International Auto Show press day and the reception/Dinner.

The following are the details:

Attendees:

- Bill Wehrum – AA will be in travel status
- Mandy Gunasekara, Principle Deputy Administrator OAR will be in travel status
- David Harlow – counselor to the AA will be in travel status
- Clint Woods – Deputy Assistant Administrator OAR will be in travel Status
- Christopher Grundler – OTAQ Office Director
- Leila H Cook – OTAQ Associate Office Director
- Karl Simon – Director Transportation and Climate Division, OTAQ will be in travel status
- David Haugen, Director testing and Advanced technology Division, OTAQ
- Bill Charmley, Director, Assessment and Standards Division OTAQ

Dates:

Press Preview Day – Tuesday January 16, 2018, 7:00 A.M. – 7 P.M.

Events:

- Preview of Auto Show during press Day – This is a free event
- Lunch Provided during Press Day
- Reception/Dinner at 6:30 P.M. at the Wright & Co Restaurant 1500 Woodward Avenue Detroit, MI 48226 – value of the dinner is \$45
- Free tickets to the Auto show for each attendee at Press Preview Day – estimated cost of the pass is \$18

Sponsorship:

- Press Day is organized by the organizers of the Auto Show itself – Detroit Auto Dealers Association (they provide the free pass to each attendee)
- Lunch at Press day is being provided by Global Automakers
- Reception/Dinner is being sponsored by the Alliance of Automobile manufacturers

I am requesting ethics approval for the following:

- Attendance of the Free press preview day and acceptance of the Auto show ticket valued at \$18 sponsored by the Detroit Auto dealers Association
- Acceptance of the lunch provided during the free press day which is sponsored by Global Automakers
- Acceptance of the Reception/Dinner

I have attached information you provided to OTAQ in the past regarding the attendance of this event. We will have Karl Simon fill out the ethics travel form for the event.

During Justina's visit to Ann Arbor she thought it would best to have her handle the travel ethics forms for the political appointees and I would inform Emily Atkinson of this.

Thanks in advance for your assistance

Erica

Erica Watkins  
Immediate Office Room C186  
Office of Transportation and Air Quality  
Ph: 734-214-4415  
Cell: Ex. 6 - Personal Privacy

Message

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**From:** Keigwin, Richard [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=151BAABB6A2246A3A312F12A706C0A05-RICHARD P KEIGWIN JR]  
**Sent:** 1/4/2018 9:20:02 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** Re: Invitation to Speak At NPMA Legislative Day March 19, 2018

Thanks Justina. Much appreciated.

Rick Keigwin  
Director, Office of Pesticide Programs  
U.S. Environmental Protection Agency  
Phone: 703-305-7090  
Website: [www.epa.gov/pesticides](http://www.epa.gov/pesticides)  
Sent from my iPhone

On Jan 4, 2018, at 3:14 PM, Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)> wrote:

Hey Rick,  
Often, the political people ask me for clearance for all sorts of things, including things that sometimes don't involve ethics issues at all. Since I see that you are speaking too, I thought I'd share this advice that I gave to Tate Bennett. Nothing for you to do.  
Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308  
North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004  
for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** Fugh, Justina  
**Sent:** Thursday, January 04, 2018 3:13 PM  
**To:** Bennett, Tate <[Bennett.Tate@epa.gov](mailto:Bennett.Tate@epa.gov)>  
**Subject:** RE: Invitation to Speak At NPMA Legislative Day March 19, 2018

Hi Tate,  
You will be going in your official capacity, representing EPA. Because you are speaking at the event, you may accept any items, including a meal, that is offered to all participants who attend the event. You may ask EPA to pay for your local travel expenses associated with going to and from this event, too.  
Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308  
North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004  
for the zip code) | phone 202-564-1786 | fax 202-564-1772



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**From:** Bennett, Tate  
**Sent:** Wednesday, January 03, 2018 11:26 AM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Subject:** FW: Invitation to Speak At NPMA Legislative Day March 19, 2018

Hi Justina! Happy New Year!

I wanted to see if you had any concerns on the ethics-side if I were to sit on a panel at this conference. It is not compensated and I do not believe there will be a meal or gifts in exchange for sitting on the panel. Thanks in advance for any guidance you might be able to provide.

Tate

Elizabeth Tate Bennett  
Associate Administrator for Public Engagement & Environmental Education  
Office of the Administrator  
U.S. Environmental Protection Agency  
(202) 564-1460  
[Bennett.Tate@epa.gov](mailto:Bennett.Tate@epa.gov)

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**From:** Jim Fredericks [<mailto:jfredericks@pestworld.org>]  
**Sent:** Wednesday, January 3, 2018 10:04 AM  
**To:** Bennett, Tate <[Bennett.Tate@epa.gov](mailto:Bennett.Tate@epa.gov)>  
**Subject:** Invitation to Speak At NPMA Legislative Day March 19, 2018

Dear Tate,  
Thanks again for taking the time to meet with the NPMA team and our members in December. I hope you enjoyed the holiday season.

As we mentioned during our meeting, the National Pest Management Association is holding its annual Legislative Day Meeting on March 19, 2018. This conference typically draws about 400 owners and executives from pest management firms nationwide and will be held at the Capital Hilton, in Washington DC. It is designed to provide an opportunity for our members to meet directly with members of congress to speak about issues which concern their businesses. One of the topics that we are interested in learning more about is how Federal regulatory reform efforts will impact the structural pest management industry.

I am writing to invite you to participate in a panel discussion on March 19<sup>th</sup> from 9:15-10:15 AM, titled:

***The Impact of Pesticide Regulatory Reform on Structural Pest Management Industry***  
*In March 2017, EPA Administrator Pruitt issued a memorandum establishing the EPA Regulatory Reform Task Force in response to President Trump's Executive Order 13771: Enforcing the Regulatory Reform Agenda, which is designed to reduce the regulatory burdens agencies place on the American people. Since then, EPA has held public meetings and invited written and verbal comment from stakeholders who are directly impacted. Concurrently, NPMA has begun working on its Pesticide Regulatory Reform Agenda focusing on overcoming challenges that directly impact the pest management industry. In this session, learn what EPA and Industry are doing to work together to find solutions.*

We are also inviting Ray Starling, and Rick Keigwin. Thanks and I look forward to hearing from you at your earliest convenience,

-Jim

**Jim Fredericks, Ph.D.**

Vice President, Technical and Regulatory Affairs, National Pest Management Association  
Executive Director, Pest Management Foundation  
10460 North Street Fairfax, VA 22030  
(703) 352-6762 Main Office  
(800) 678-6722 Toll Free

**UPCOMING EVENTS**

Eastern Regional Conference | January 17-19 | Mashantucket, CT

Wildlife Expo | January 30-February 1 | New Orleans, LA

Southern Regional Conference | February 5-7 | Memphis, TN

Message

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**From:** Cheatham-Strickland, Latonia [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E0153E074B9640F1B6AA32CFDA4F4BF9-STRICKLAND,]  
**Sent:** 2/27/2018 4:46:39 AM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**CC:** Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]; Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]  
**Subject:** Re: Ken Wagner's Travel Ethics

If possible can we get this reviewed soon, Ken leaves for travel that is actually unrelated to this trip but in the same TA.

Best Regards,

Latonia

Sent from my iPhone

On Feb 26, 2018, at 10:39 PM, Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)> wrote:

Jennie,  
Can you please add this ethics travel form to your list of travel forms to process?  
Thanks,  
Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308  
North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004  
for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** Cheatham-Strickland, Latonia  
**Sent:** Monday, February 26, 2018 10:29 PM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Cc:** Wagner, Kenneth <[wagner.kenneth@epa.gov](mailto:wagner.kenneth@epa.gov)>  
**Subject:** Ken Wagner's Travel Ethics

Justina,

Here is the form.

Best Regards,

Latonia

Latonia Cheatham Strickland  
Special Assistant to the Senior Advisor

for Regional and State Affairs  
Office of Congressional & Intergovernmental Relations  
U.S. Environmental Protection Agency  
Office Phone: (202) 564-7930  
EPA Cellphone: (202) 379-8493  
[Cheatham-strickland.latoria@epa.gov](mailto:Cheatham-strickland.latoria@epa.gov)

<FILLABLE Ethics Travel Formwagnerfinal2.pdf>

Message

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**From:** Griffo, Shannon [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6C901EB2C3BA4556A4A581B8816D5A9A-VALLANCE, SHANNON]  
**Sent:** 12/13/2017 1:59:28 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** RE: Meeting Request for Bill Wehrum

## Ex. 5 - Deliberative Process

Shannon Griffo  
Ethics Attorney  
Office of General Counsel, Ethics  
U.S. Environmental Protection Agency  
(202) 564-7061  
[Griffo.Shannon@epa.gov](mailto:Griffo.Shannon@epa.gov)

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**From:** Fugh, Justina  
**Sent:** Wednesday, December 13, 2017 8:57 AM  
**To:** Griffo, Shannon <[Griffo.Shannon@epa.gov](mailto:Griffo.Shannon@epa.gov)>  
**Subject:** FW: Meeting Request for Bill Wehrum

## Ex. 5 - Deliberative Process

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**From:** Griffo, Shannon  
**Sent:** Monday, December 11, 2017 4:15 PM  
**To:** Lewis, Josh <[Lewis.Josh@epa.gov](mailto:Lewis.Josh@epa.gov)>; Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Subject:** RE: Meeting Request for Bill Wehrum

Josh,

Thanks for taking the time to talk with me earlier today. Once you've spoken with Bill and Justina is back from travel, let's consider setting up another meeting to continue our discussions. In the meantime, feel free to keep reaching out to us with your questions, meeting invites, etc. We appreciate your assistance!

Thanks again,  
Shannon

Shannon Griffo  
Ethics Attorney  
Office of General Counsel, Ethics  
U.S. Environmental Protection Agency  
(202) 564-7061  
[Griffo.Shannon@epa.gov](mailto:Griffo.Shannon@epa.gov)

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**From:** Lewis, Josh  
**Sent:** Monday, December 11, 2017 10:55 AM

**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>; Griffo, Shannon <[Griffo.Shannon@epa.gov](mailto:Griffo.Shannon@epa.gov)>

**Subject:** RE: Meeting Request for Bill Wehrum

I heard from API this morning that they “plan to cover methane, ozone, and RFS.”

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**From:** Fugh, Justina

**Sent:** Friday, December 08, 2017 10:50 PM

**To:** Lewis, Josh <[Lewis.Josh@epa.gov](mailto:Lewis.Josh@epa.gov)>; Griffo, Shannon <[Griffo.Shannon@epa.gov](mailto:Griffo.Shannon@epa.gov)>

**Subject:** RE: Meeting Request for Bill Wehrum

# Ex. 5 - Deliberative Process

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** Lewis, Josh

**Sent:** Friday, December 08, 2017 1:54 PM

**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>; Griffo, Shannon <[Griffo.Shannon@epa.gov](mailto:Griffo.Shannon@epa.gov)>

**Subject:** FW: Meeting Request for Bill Wehrum

API and member companies are coming in next Wednesday to meet with Bill. Original request and the current list of attendees below.

## Ex. 5 - Deliberative Process

### Outside Attendees (In Person):

- Hilary Moffett, API

- Stephen Higley, Marathon Petroleum
- Dale Thanjan, Phillips 66
- Kate Fay, Noble
- Marni Funk, Shell
- David van Hoogstraten, BP
- Matt Todd, API
- Puneet Verma, Chevron
- Brandon Kirkham
- Khary Cauthen, API
- Robert Nolan, Exxon Mobil
- Kevin Avery, ConocoPhillips
- Howard Feldman, API
- John Wagner, API
- Sara Glenn, Shell
- Rebecca Rosen, Devon

**By phone:**

- Jill Cooper, Anadarko

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**From:** Hilary Moffett [<mailto:moffetth@api.org>]  
**Sent:** Monday, November 27, 2017 9:29 AM  
**To:** Loving, Shanita <[Loving.Shanita@epa.gov](mailto:Loving.Shanita@epa.gov)>  
**Cc:** Atkinson, Emily <[Atkinson.Emily@epa.gov](mailto:Atkinson.Emily@epa.gov)>  
**Subject:** Meeting Request for Bill Wehrum

Good Morning Shanita,

I hope this email finds you well. A group of people from API and our member companies wanted to schedule a meeting with Assistant Administrator Wehrum to discuss priorities. We have been working closely with Mandy and the team both in DC and in North Carolina on a number of air issues, and believe a meeting to touch bases on those issues would be mutually beneficial as Mr. Wehrum continues to dig into his new role. I understand that he is incredibly busy, and only ask for about 30 minutes of his time in the coming weeks.

Thanks for your consideration.

Regards,  
Hilary

Hilary Moffett  
Director, Federal Relations  
American Petroleum Institute  
202-682-8040 (desk)  
Ex. 6 - Personal Privacy (cell)  
[Moffetth@api.org](mailto:Moffetth@api.org)

Message

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**From:** Bolen, Brittany [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=31E872A691114372B5A6A88482A66E48-BOLEN, BRIT]  
**Sent:** 12/13/2017 12:16:46 AM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** Re: Request to attend event on 12/14

Thank you, Justina. Yes, it's Mr. Jay Timmons.  
-Brittany

Sent from my iPad

On Dec 12, 2017, at 7:15 PM, Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)> wrote:

Hi Brittany,  
I'll start with an email to Jay Timmons (I'm assuming that's a Mr. Timmons as opposed to a Ms. Timmons?). If I run into a hurdle, will let you know!  
Justina

Sent from my iPhone

On Dec 12, 2017, at 7:12 PM, Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)> wrote:

Justina,  
The invitation I copied below was emailed to me  
by [Jay.W.Timmons@nam.org](mailto:Jay.W.Timmons@nam.org). There was not a phone number included. I can  
certainly provide contact information for another representative of NAM. Please  
let me know if additional points of contact would help answer your question.  
Thanks,  
Brittany

On Dec 12, 2017, at 6:59 PM, Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)> wrote:

Brittany,  
Do you have any contact information? We can't ascertain the per  
person price unless we talk to the NAM, which is a federally  
registered lobbyist. And if we can't find someone to answer our  
question, then you can't be ethically permitted to go.  
Justina

Sent from my iPhone

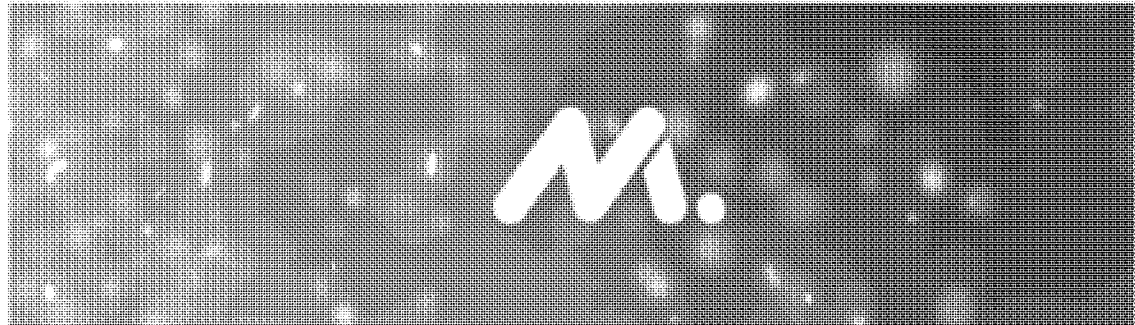
On Dec 12, 2017, at 1:36 PM, Bolen, Brittany  
<[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)> wrote:

Hi Justina –



Per your guidance below, I am requesting approval to attend a holiday event being hosted by the National Association of Manufacturers this Thursday, December 14. A copy of the invitation I received is pasted below. Please advise me on next steps, including the amount I will personally need to pay to attend this event in accordance with my ethics requirements. Thank you,  
Brittany

Can't  
see the  
images?  
[View it  
online.](#)



Jay Timmons and the National Association of Manufacturers invite you to the official holiday celebration for manufacturers in America. Join us to toast the people who are creating the future.

**DECEMBER 14**

**5:00 - 8:00 P.M.**

NAM HEADQUARTERS  
733 10TH STREET NW,  
SUITE 700  
WASHINGTON, DC 20001



**Please RSVP by December 4**

This event has been designed to meet the "reception exception" as stated by the Senate Select Ethics and House Ethics Committees. Invitation is non-transferable.

# CREATORS WANTED

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**From:** Fugh, Justina

**Sent:** Friday, December 1, 2017 4:02 PM

**To:** Bennett, Tate <[Bennett.Tate@epa.gov](mailto:Bennett.Tate@epa.gov)>; Bolen, Derrick <[bolen.derrick@epa.gov](mailto:bolen.derrick@epa.gov)>; Burke, Marcella <[burke.marcella@epa.gov](mailto:burke.marcella@epa.gov)>; Cory, Preston (Katherine) <[Cory.Preston@epa.gov](mailto:Cory.Preston@epa.gov)>; Darwin, Henry <[darwin.henry@epa.gov](mailto:darwin.henry@epa.gov)>; Falvo, Nicholas <[falvo.nicholas@epa.gov](mailto:falvo.nicholas@epa.gov)>; Ford, Hayley <[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)>; Greenwalt, Sarah <[greenwalt.sarah@epa.gov](mailto:greenwalt.sarah@epa.gov)>; Hupp, Millan <[hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)>; Konkus, John <[konkus.john@epa.gov](mailto:konkus.john@epa.gov)>; Lovell, Will (William) <[lovell.william@epa.gov](mailto:lovell.william@epa.gov)>; McMurray, Forrest <[mcmurray.forrest@epa.gov](mailto:mcmurray.forrest@epa.gov)>; Munoz, Charles <[munoz.charles@epa.gov](mailto:munoz.charles@epa.gov)>; Palich, Christian <[palich.christian@epa.gov](mailto:palich.christian@epa.gov)>; Ringel, Aaron <[ringel.aaron@epa.gov](mailto:ringel.aaron@epa.gov)>; Rodrick, Christian <[rodrick.christian@epa.gov](mailto:rodrick.christian@epa.gov)>; Sands, Jeffrey <[sands.jeffrey@epa.gov](mailto:sands.jeffrey@epa.gov)>; Schwab, Justin <[Schwab.Justin@epa.gov](mailto:Schwab.Justin@epa.gov)>; Shimmin, Kaitlyn

<shimmin.kaitlyn@epa.gov>; Stepp, Cathy  
<stepp.cathy@epa.gov>; Baptist, Erik  
<baptist.erik@epa.gov>; Benevento, Douglas  
<benevento.douglas@epa.gov>; Bolen, Brittany  
<bolen.brittany@epa.gov>; Bowman, Liz  
<Bowman.Liz@epa.gov>; Chmielewski, Kevin  
<chmielewski.kevin@epa.gov>; Darwin, Henry  
<darwin.henry@epa.gov>; Dravis, Samantha  
<dravis.samantha@epa.gov>; Forsgren, Lee  
<Forsgren.Lee@epa.gov>; Fotouhi, David  
<Fotouhi.David@epa.gov>; Glenn, Trey  
<Glenn.Trey@epa.gov>; Greaves, Holly  
<greaves.holly@epa.gov>; Gulliford, Jim  
<gulliford.jim@epa.gov>; Harlow, David  
<harlow.david@epa.gov>; Jackson, Ryan  
<jackson.ryan@epa.gov>; Kelly, Albert  
<kelly.albert@epa.gov>; Lopez, Peter  
<lopez.peter@epa.gov>; Lyons, Troy  
<lyons.troy@epa.gov>; Servidio, Cosmo  
<Servidio.Cosmo@epa.gov>; Traylor, Patrick  
<traylor.patrick@epa.gov>; Wagner, Kenneth  
<wagner.kenneth@epa.gov>; Yamada, Richard (Yujiro)  
<yamada.richard@epa.gov>; Wehrum, Bill  
<Wehrum.Bill@epa.gov>; Bodine, Susan  
<bodine.susan@epa.gov>; Dourson, Michael  
<dourson.michael@epa.gov>  
**Cc:** ethics <ethics@epa.gov>; Minoli, Kevin  
<Minoli.Kevin@epa.gov>  
**Subject:** Dear OGC/Ethics -- May I Attend This Holiday  
Party?

Reminder for Political Appointees  
Don't Assume You Can Accept  
Invitations To Seasonal  
Celebrations and Other Receptions  
— *Always Ask!*

Dear EPA political appointees –

I'm writing to remind you about your obligations under the Trump Ethics Pledge that you signed. We know it's that festive time of year when you may be invited to go to holiday receptions and parties, so the EPA ethics elves are sending you this reminder to be careful.

**What's a gift?**

In your initial ethics briefing, you learned about the gift rules in the Standards of Conduct and the additional restrictions imposed upon you by the Trump Ethics

Pledge that you signed when you joined EPA. As a federal employee, you cannot accept a gift that is offered to you because of your official position or from a prohibited source. "Gift" is defined to include gratuities, favors, discounts, entertainment, hospitality and other items having monetary value. The definition is very broad, and it encompasses free attendance at the kinds of dinners, receptions and other networking events that are common in D.C., particularly during the holiday season.

**What's the rule?**

You are prohibited from accepting any gift (including invitations to holiday parties) from a federally registered lobbyist. Even if the invitation says that it's a "widely attended gathering" or that it meets the Congressional ethics rules, don't assume you can go. You're an EPA political appointee, so you must get written approval from OGC/Ethics before you go to the event. When you send the invitation to OGC/Ethics, the first thing we will do is determine whether the sponsor of the event is a federally registered lobbyist.

- **Event is sponsored by a federally registered lobbyist**

In this case, the Lobbyist Gift Ban applies. When you signed the pledge, you promised not to accept gifts from federally registered lobbyists. The common exception for a "widely attended gathering" (WAG) does not apply to invitations from and events sponsored by federally registered lobbyists. **YOU CAN NEVER ACCEPT THE GIFT OF FREE ATTENDANCE TO A WAG FROM A FEDERALLY REGISTERED LOBBYIST.**

**If the event is sponsored by a federally registered lobbyist, but you really want to attend ...**

then you will need to work closely with OGC/Ethics to pay personally out of your pocket. It's not enough to say that you'll pay for your drinks and won't eat. The rule is that you can't even go to the event unless you pay personally for the cost per person. So, upon request, OGC/Ethics will contact the sponsor to determine the cost per person that will have to pay, and to whom. We want to help you document your payment so that you can show you have not violated the Trump Ethics Pledge.

- **Event is not sponsored by a federally registered lobbyist**

In this case, OGC/Ethics will determine if the “Widely Attended Gathering” (WAG) exception applies to permit your attendance. The WAG exception allows ethics officials to approve an employee’s acceptance of free attendance upon a written determination that your attendance furthers an agency interest. In order for OGC/Ethics to clear your attendance, there must be a large number of people attending the event as well as a diversity of views or interests among those attending. If the offer to attend is from the sponsor of the event, there is no limit on the value of the event. If the offer of free attendance comes from someone other than the sponsor, then the value of the gift (your attendance and your spouse’s, if applicable) cannot exceed \$390. Should your ethics official determines that you may accept the gift and attend, you will do so in your personal capacity and not on government time. And you may have to disclose the gift on your OGE-278, depending on its value. OGC/Ethics will let you know whether you have to report the gift when we notify you that it has been approved.

**What should you do in each and every case?**

**Contact OGC/Ethics BEFORE attending. Send an email to [ethics@epa.gov](mailto:ethics@epa.gov) and provide us with a copy of the invitation and as much information as you can regarding the event.**

Thanks for your attention to ethics issues!  
Justina

Justina Fugh | Senior Counsel for Ethics | Office of  
General Counsel | US EPA | Mail Code 2311A | Room 4308  
North, William Jefferson Clinton Federal Building |  
Washington, DC 20460 (for ground deliveries, use 20004  
for the zip code) | phone 202-564-1786 | fax 202-564-  
1772

Message

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**From:** Kunding, Kelly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E3C9A5D16E2244079E222F342BF9992F-KUNDINGER,]  
**Sent:** 12/22/2017 2:36:31 PM  
**To:** Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]; Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**CC:** Ford, Hayley [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4748a9029cf74453a20ee8ac9527830c-Ford, Hayle]  
**Subject:** American Gas Association Speaker Request  
**Attachments:** EPA Administrator Pruitt Speaker Request Form.docx

Jennie & Justina –

Would you mind reviewing / approving the attached keynote speaking invitation?

Thank you!

Kelly Kunding  
Deputy Director of Scheduling and Advance  
Kunding.Kelly@epa.gov  
202-568-9879

Message

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**From:** Kunding, Kelly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E3C9A5D16E2244079E222F342BF9992F-KUNDINGER,]  
**Sent:** 12/22/2017 2:31:41 PM  
**To:** Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]; Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**CC:** Ford, Hayley [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4748a9029cf74453a20ee8ac9527830c-Ford, Hayle]  
**Subject:** Poultry Federation Speaker Invitation  
**Attachments:** EPA Administrator Pruitt Speaker Request Form Symposium.docx

Hi Jennie & Justina –

Could you please review / approve the attached keynote speaking invitation?

Thank you!

Kelly Kunding  
Deputy Director of Scheduling and Advance  
Kunding.Kelly@epa.gov  
202-568-9879

Message

---

**From:** Traylor, Patrick [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B6D06C6B766C4B4B8BFD6B0FEA4B998-TRAYLOR, PA]  
**Sent:** 12/12/2017 8:21:38 PM  
**To:** Griffo, Shannon [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6c901eb2c3ba4556a4a581b8816d5a9a-Vallance, Shannon]; Duross, Jeanne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1771ddaf869f40998535d410e5b1a93e-Jduross]  
**CC:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]; Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]  
**Subject:** RE: HL DC ENV Holiday Party

Helpful; thanks.

**Patrick Traylor**

Deputy Assistant Administrator  
Office of Enforcement and Compliance Assurance  
U.S. Environmental Protection Agency  
(202) 564-5238 (office)  
(202) [REDACTED] cell)

---

**From:** Griffo, Shannon  
**Sent:** Tuesday, December 12, 2017 3:18 PM  
**To:** Traylor, Patrick <traylor.patrick@epa.gov>; Duross, Jeanne <Duross.Jeanne@epa.gov>  
**Cc:** Fugh, Justina <Fugh.Justina@epa.gov>; Keith, Jennie <Keith.Jennie@epa.gov>  
**Subject:** RE: HL DC ENV Holiday Party

Hi all,

I'm going to chime in because I happen to have Executive Order 13770 and OGE's Legal Advisory, DO-09-007 Lobbyist Gift Ban Guidance, in front of me. The lobbyist gift ban found in Paragraph 5 of the Ethics Pledge applies to gifts from a registered lobbyist or a lobbying organization, including any "organization filing a registration." The guidance states that EO 13770 covers both the lobbyists and organizations that have filed a registration under the Lobbying Disclosure Act and are found in the registrant databases.

Thanks,  
Shannon

Shannon Griffo  
Ethics Attorney  
Office of General Counsel, Ethics  
U.S. Environmental Protection Agency  
(202) 564-7061  
[Griffo.Shannon@epa.gov](mailto:Griffo.Shannon@epa.gov)

---

**From:** Traylor, Patrick  
**Sent:** Tuesday, December 12, 2017 2:59 PM  
**To:** Duross, Jeanne <Duross.Jeanne@epa.gov>  
**Cc:** Fugh, Justina <Fugh.Justina@epa.gov>; Griffo, Shannon <Griffo.Shannon@epa.gov>; Keith, Jennie



<Keith.Jennie@epa.gov>

**Subject:** RE: HL DC ENV Holiday Party

Thanks. I've sent my regrets to the party.

## Ex. 5 - Deliberative Process

**Patrick Traylor**

Deputy Assistant Administrator

Office of Enforcement and Compliance Assurance

U.S. Environmental Protection Agency

(202) 564-5238 (office)

(202) 809-8796 (cell)

---

**From:** Duross, Jeanne

**Sent:** Tuesday, December 12, 2017 2:56 PM

**To:** Traylor, Patrick <traylor.patrick@epa.gov>

**Cc:** Fugh, Justina <Fugh.Justina@epa.gov>; Griffo, Shannon <Griffo.Shannon@epa.gov>; Keith, Jennie <Keith.Jennie@epa.gov>

**Subject:** FW: HL DC ENV Holiday Party

Patrick,

Just to follow up, I checked in with Jennie Keith (cc'd here) and she will be able to assist you later today when Shannon and I will be unavailable.

Jennie indicated that, should you choose to pay your way and go to the event, you could go this evening and OGC/Ethics could help you ascertain the cost tomorrow. The only risk in so doing is proceeding without ensuring that you would be willing to pay the per person cost, whatever that amount might be.

-Jeanne

---

**From:** Duross, Jeanne

**Sent:** Tuesday, December 12, 2017 2:40 PM

**To:** Fugh, Justina <Fugh.Justina@epa.gov>; Traylor, Patrick <traylor.patrick@epa.gov>; Griffo, Shannon <Griffo.Shannon@epa.gov>

**Subject:** RE: HL DC ENV Holiday Party

Hi Patrick,

We looked at the list of federally registered lobbyists maintained by the Office of the Clerk of the House of Representatives. Hogan is listed as a federally registered lobbyist.

As such, because you signed the Trump Ethics Pledge, you cannot accept the gift of free attendance to an event hosted by Hogan (see Para. 5 of the Pledge). There are no exceptions to the gift rule that would apply to allow acceptance.

If you would like to attend, you will have to pay Hogan to do so. We will need to reach out to them to ascertain the cost per person of any food, beverage and entertainment that will be provided and to help you document your payment. If you would like to attend, please let us know immediately -- we both have limited hours on Tuesday and will be leaving within the hour (Justina is out on travel today).

-Jeanne

-----Original Appointment-----

**From:** Traylor, Patrick **On Behalf Of** Graae, Hannah M.

**Sent:** Tuesday, December 12, 2017 2:08 PM

**To:** Fugh, Justina; Duross, Jeanne; Traylor, Patrick; Griffo, Shannon

**Subject:** FW: HL DC ENV Holiday Party

**When:** Tuesday, December 12, 2017 6:00 PM-10:00 PM (UTC-05:00) Eastern Time (US & Canada).

**Where:** DBGB Kitchen and Bar: 931 H St NW, Washington DC 20001

This is a holiday party invitation (for tonight) from Hogan Lovells' environmental practice group. HL is not a registered lobbyist. Not open to the general public. Purpose is purely social; no agency business. Appropriate to drop in and say hello?

-----Original Appointment-----

**From:** Graae, Hannah M. [<mailto:hannah.graae@hoganlovells.com>]

**Sent:** Tuesday, December 12, 2017 1:42 PM

**To:** Graae, Hannah M.; Traylor, Patrick

**Subject:** FW: HL DC ENV Holiday Party

**When:** Tuesday, December 12, 2017 6:00 PM-10:00 PM (UTC-05:00) Eastern Time (US & Canada).

**Where:** DBGB Kitchen and Bar: 931 H St NW, Washington DC 20001

-----Original Appointment-----

**From:** Graae, Hannah M.

**Sent:** Wednesday, October 25, 2017 12:58 PM

## Ex. 6 - Personal Privacy

**Subject:** HL DC ENV Holiday Party

**When:** Tuesday, December 12, 2017 6:00 PM-10:00 PM (UTC-05:00) Eastern Time (US & Canada).

**Where:** DBGB Kitchen and Bar: 931 H St NW, Washington DC 20001

Hello All,

You and your spouse/significant other are invited to join us for a PARTY on December 12, 2017, to celebrate the holidays and the end of another successful year for the DC Environmental Practice Group!

**Please RSVP by November 30 indicating whether your spouse or significant other will be joining you, as we have to give DBGB a final headcount for this event. Thank you!**

Here are the party details:

DBGB's Private Event Space

931 H St NW

Washington, DC 20001

6:00-7:00 pm – Reception (Salon Rouge)

7:00-10:00 pm – Dinner (Salon Bleu)

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### About Hogan Lovells

Hogan Lovells is an international legal practice that includes Hogan Lovells US LLP and Hogan Lovells International LLP. For more information, see [www.hoganlovells.com](http://www.hoganlovells.com).

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received in error, please do not disclose the contents to anyone, but notify the sender by return email and delete this email (and any attachments) from your system.

Message

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**From:** Bolen, Brittany [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=31E872A691114372B5A6A88482A66E48-BOLEN, BRIT]  
**Sent:** 12/12/2017 6:36:07 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]; ethics [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d77d8564b916474a9312ec6c9c4dca55-ethics]  
**Subject:** Request to attend event on 12/14

Hi Justina –

Per your guidance below, I am requesting approval to attend a holiday event being hosted by the National Association of Manufacturers this Thursday, December 14. A copy of the invitation I received is pasted below. Please advise me on next steps, including the amount I will personally need to pay to attend this event in accordance with my ethics requirements.

Thank you,  
Brittany

Can't  
see the  
images?  
[View it  
online.](#)

Jay Timmons and the  
National Association of  
Manufacturers invite you  
to the official holiday  
celebration for  
manufacturers in  
America. Join us to toast  
the people who are  
creating the future.

**DECEMBER 14**

**5:00 - 8:00 P.M.**

NAM HEADQUARTERS  
733 10TH STREET NW,  
SUITE 700



Please  
RSVP by  
December 4

This event has  
been designed  
to meet the  
"reception  
exception" as  
stated by the  
Senate Select  
Ethics and  
House Ethics  
Committees.  
Invitation is  
non-transferable.

---

**From:** Fugh, Justina

**Sent:** Friday, December 1, 2017 4:02 PM

**To:** Bennett, Tate <Bennett.Tate@epa.gov>; Bolen, Derrick <bolen.derrick@epa.gov>; Burke, Marcella <burke.marcella@epa.gov>; Cory, Preston (Katherine) <Cory.Preston@epa.gov>; Darwin, Henry <darwin.henry@epa.gov>; Falvo, Nicholas <falvo.nicholas@epa.gov>; Ford, Hayley <ford.hayley@epa.gov>; Greenwalt, Sarah <greenwalt.sarah@epa.gov>; Hupp, Millan <hupp.millan@epa.gov>; Konkus, John <konkus.john@epa.gov>; Lovell, Will (William) <lovell.william@epa.gov>; McMurray, Forrest <mcmurray.forrest@epa.gov>; Munoz, Charles <munoz.charles@epa.gov>; Palich, Christian <palich.christian@epa.gov>; Ringel, Aaron <ringel.aaron@epa.gov>; Rodrick, Christian <rodrick.christian@epa.gov>; Sands, Jeffrey <sands.jeffrey@epa.gov>; Schwab, Justin <Schwab.Justin@epa.gov>; Shimmin, Kaitlyn <shimmin.kaitlyn@epa.gov>; Stepp, Cathy <stepp.cathy@epa.gov>; Baptist, Erik <baptist.erik@epa.gov>; Benevento, Douglas <benevento.douglas@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Chmielewski, Kevin <chmielewski.kevin@epa.gov>; Darwin, Henry <darwin.henry@epa.gov>; Dravis, Samantha <dravis.samantha@epa.gov>; Forsgren, Lee <Forsgren.Lee@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>; Glenn, Trey <Glenn.Trey@epa.gov>; Greaves, Holly <greaves.holly@epa.gov>; Gulliford, Jim <gulliford.jim@epa.gov>; Harlow, David <harlow.david@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>; Lopez, Peter <lopez.peter@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>; Servidio, Cosmo <Servidio.Cosmo@epa.gov>; Traylor, Patrick <traylor.patrick@epa.gov>; Wagner, Kenneth <wagner.kenneth@epa.gov>; Yamada, Richard (Yujiro) <yamada.richard@epa.gov>; Wehrum, Bill <Wehrum.Bill@epa.gov>; Bodine, Susan <bodine.susan@epa.gov>; Dourson, Michael <dourson.michael@epa.gov>

## Reminder for Political Appointees

### Don't Assume You Can Accept Invitations To Seasonal Celebrations and Other Receptions

#### — *Always Ask!*

Dear EPA political appointees –

I'm writing to remind you about your obligations under the Trump Ethics Pledge that you signed. We know it's that festive time of year when you may be invited to go to holiday receptions and parties, so the EPA ethics elves are sending you this reminder to be careful.

#### *What's a gift?*

In your initial ethics briefing, you learned about the gift rules in the Standards of Conduct and the additional restrictions imposed upon you by the Trump Ethics Pledge that you signed when you joined EPA. As a federal employee, you cannot accept a gift that is offered to you because of your official position or from a prohibited source. "Gift" is defined to include gratuities, favors, discounts, entertainment, hospitality and other items having monetary value. The definition is very broad, and it encompasses free attendance at the kinds of dinners, receptions and other networking events that are common in D.C., particularly during the holiday season.

#### *What's the rule?*

You are prohibited from accepting any gift (including invitations to holiday parties) from a federally registered lobbyist. Even if the invitation says that it's a "widely attended gathering" or that it meets the Congressional ethics rules, don't assume you can go. You're an EPA political appointee, so you must get written approval from OGC/Ethics before you go to the event. When you send the invitation to OGC/Ethics, the first thing we will do is determine whether the sponsor of the event is a federally registered lobbyist.

- *Event is sponsored by a federally registered lobbyist*

In this case, the Lobbyist Gift Ban applies. When you signed the pledge, you promised not to accept gifts from federally registered lobbyists. The common exception for a "widely attended gathering" (WAG) does not apply to invitations from and events sponsored by federally registered lobbyists. **YOU CAN NEVER ACCEPT THE GIFT OF FREE ATTENDANCE TO A WAG FROM A FEDERALLY REGISTERED LOBBYIST.**

If the event is sponsored by a federally registered lobbyist, but you really want to attend ...

then you will need to work closely with OGC/Ethics to pay personally out of your pocket. It's not enough to say that you'll pay for your drinks and won't eat. The rule is that you can't even go to the event unless you pay personally for the cost per person. So, upon request, OGC/Ethics will contact the sponsor to determine the cost per person that will have to pay, and to whom. We want to help you document your payment so that you can show you have not violated the Trump Ethics Pledge.

- *Event is not sponsored by a federally registered lobbyist*

In this case, OGC/Ethics will determine if the "Widely Attended Gathering" (WAG) exception applies to permit your attendance. The WAG exception allows ethics officials to approve an employee's acceptance of free attendance upon a written determination that your attendance furthers an agency interest. In order for OGC/Ethics to clear your attendance, there must be a large number of people attending the event as well as a diversity of views or interests among those attending. If the offer to attend is from the sponsor of the event, there is no limit on the value of the event. If the offer of free attendance comes from someone other than the

sponsor, then the value of the gift (your attendance and your spouse's, if applicable) cannot exceed \$390. Should your ethics official determines that you may accept the gift and attend, you will do so in your personal capacity and not on government time. And you may have to disclose the gift on your OGE-278, depending on its value. OGC/Ethics will let you know whether you have to report the gift when we notify you that it has been approved.

**What should you do in each and every case?**

**Contact OGC/Ethics BEFORE attending.** Send an email to [ethics@epa.gov](mailto:ethics@epa.gov) and provide us with a copy of the invitation and as much information as you can regarding the event.

Thanks for your attention to ethics issues!

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

Message

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**From:** Griffo, Shannon [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6C901EB2C3BA4556A4A581B8816D5A9A-VALLANCE, SHANNON]  
**Sent:** 12/11/2017 9:10:36 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** RE: Meeting Request for Bill Wehrum

## Ex. 5 - Deliberative Process

Safe travels!

Shannon Griffo  
Ethics Attorney  
Office of General Counsel, Ethics  
U.S. Environmental Protection Agency  
(202) 564-7061  
Griffo.Shannon@epa.gov

---

**From:** Fugh, Justina  
**Sent:** Friday, December 08, 2017 10:54 PM  
**To:** Griffo, Shannon <Griffo.Shannon@epa.gov>  
**Subject:** RE: Meeting Request for Bill Wehrum

## Ex. 5 - Deliberative Process

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**From:** Griffo, Shannon  
**Sent:** Friday, December 08, 2017 3:00 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** RE: Meeting Request for Bill Wehrum

## Ex. 5 - Deliberative Process

Thoughts?

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# Ex. 5 - Deliberative Process

Thanks,  
Shannon

Shannon Griffo  
Ethics Attorney  
Office of General Counsel, Ethics  
U.S. Environmental Protection Agency  
(202) 564-7061  
[Griffo.Shannon@epa.gov](mailto:Griffo.Shannon@epa.gov)

---

**From:** Lewis, Josh  
**Sent:** Friday, December 08, 2017 1:54 PM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>; Griffo, Shannon <[Griffo.Shannon@epa.gov](mailto:Griffo.Shannon@epa.gov)>  
**Subject:** FW: Meeting Request for Bill Wehrum

API and member companies are coming in next Wednesday to meet with Bill. Original request and the current list of attendees below.

## Ex. 5 - Deliberative Process

### Outside Attendees (In Person):

- Hilary Moffett, API
- Stephen Higley, Marathon Petroleum
- Dale Thanjan, Phillips 66
- Kate Fay, Noble
- Marni Funk, Shell
- David van Hoogstraten, BP
- Matt Todd, API
- Puneet Verma, Chevron
- Brandon Kirkham
- Khary Cauthen, API
- Robert Nolan, Exxon Mobil
- Kevin Avery, ConocoPhillips
- Howard Feldman, API
- John Wagner, API
- Sara Glenn, Shell
- Rebecca Rosen, Devon

### By phone:

- Jill Cooper, Anadarko

---

**From:** Hilary Moffett [<mailto:moffetth@api.org>]  
**Sent:** Monday, November 27, 2017 9:29 AM

**To:** Loving, Shanita <[Loving.Shanita@epa.gov](mailto:Loving.Shanita@epa.gov)>

**Cc:** Atkinson, Emily <[Atkinson.Emily@epa.gov](mailto:Atkinson.Emily@epa.gov)>

**Subject:** Meeting Request for Bill Wehrum

Good Morning Shanita,

I hope this email finds you well. A group of people from API and our member companies wanted to schedule a meeting with Assistant Administrator Wehrum to discuss priorities. We have been working closely with Mandy and the team both in DC and in North Carolina on a number of air issues, and believe a meeting to touch bases on those issues would be mutually beneficial as Mr. Wehrum continues to dig into his new role. I understand that he is incredibly busy, and only ask for about 30 minutes of his time in the coming weeks.

Thanks for your consideration.

Regards,  
Hilary

Hilary Moffett  
Director, Federal Relations  
American Petroleum Institute  
202-682-8040 (desk)  

Ex. 6 - Personal Privacy

 (cell)  
[MoffettH@api.org](mailto:MoffettH@api.org)

Message

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**From:** Atkinson, Emily [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=BB2155ADEF6A44AEA9410741F0C01D27-ATKINSON, EMILY]  
**Sent:** 11/13/2017 4:09:05 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**CC:** Kime, Robin [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7ef7b76087a6475b80fc984ac2dd4497-RKime]  
**Subject:** Ethics Form for the EEI Dinner(s)  
**Attachments:** image2017-11-15-122005.pdf; paper ET blank form.pdf; RE: COP-23: EEI Contact Info

Attached is the completed form for Mandy. I am copying Robin Kim on this note so she can get this filled out for Brittany Bolen. Robin – attached is a blank form (and the completed one for Mandy you can use as a reference).

---

**From:** Fugh, Justina  
**Sent:** Monday, November 13, 2017 10:51 AM  
**To:** Atkinson, Emily <Atkinson.Emily@epa.gov>  
**Subject:** here you go

Message

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**From:** Atkinson, Emily [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=BB2155ADEF6A44AEA9410741F0C01D27-ATKINSON, EMILY]  
**Sent:** 11/13/2017 1:20:40 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**CC:** Monroe, Scott [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e2c66d1cb877417db50c4f90b30ad2ca-SMONROE]; Lewis, Josh [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b22d1d3bb3f84436a524f76ab6c79d7e-JOLEWIS]  
**Subject:** RE: COP-23: EEI Contact Info  
  
**Importance:** High

Hi Justina,

Attending is Brittany Bolen (OP) and Mandy and all the information I have is in the email below – it is a social event organized by EEI and Mandy and Brittany are not speaking and I do not know how many people are attending.

Please advise if you could provide some clarity directly to Mandy on the ethics issues related to this event – like we don't have enough info to give advice. It is happening tonight in Germany (so in the next few hours it will start).

Emily Atkinson  
Management Analyst/Office Manager  
Immediate Office of the Acting Assistant Administrator  
Office of Air and Radiation, USEPA  
Room 5412B, 1200 Pennsylvania Avenue NW  
Washington, DC 20460  
Voice: 202-564-1850  
Email: atkinson.emily@epa.gov

---

**From:** Fugh, Justina  
**Sent:** Sunday, November 12, 2017 9:01 PM  
**To:** Atkinson, Emily <Atkinson.Emily@epa.gov>  
**Cc:** Monroe, Scott <Monroe.Scott@epa.gov>  
**Subject:** RE: COP-23: EEI Contact Info

Emily,  
As I recall, Mandy is an Administratively Determined appointee, so is not subject to the Trump ethics pledge that prohibits taking any gifts from a federally registered lobbyist. Most if not all of the people on this list work for companies that are lobbyists. Is she the only one who is going to dinner? David Harlow, if he's going, for example, cannot accept the dinner.

Why is she going to this event? Who else is attending? Is she speaking? How many people will be there? Will they represent a diversity of interests? There is not enough information provided to make an ethics determination. Alternatively, because she will be in travel status, you could do the ethics travel form to ask OGC to accept the dinner for her.

Justina

---

**From:** Atkinson, Emily  
**Sent:** Thursday, November 09, 2017 4:00 PM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Cc:** Monroe, Scott <[Monroe.Scott@epa.gov](mailto:Monroe.Scott@epa.gov)>; Gunasekara, Mandy <[Gunasekara.Mandy@epa.gov](mailto:Gunasekara.Mandy@epa.gov)>  
**Subject:** FW: COP-23: EEI Contact Info  
**Importance:** High

Hi Justina,

Invitation from EEI (see below) for an event in Bonn next week.

Please advise if this is an event Mandy could participate in.

Thank you.  
Emily

Emily Atkinson  
Management Analyst/Office Manager  
Immediate Office of the Acting Assistant Administrator  
Office of Air and Radiation, USEPA  
Room 5412B, 1200 Pennsylvania Avenue NW  
Washington, DC 20460  
Voice: 202-564-1850  
Email: [atkinson.emily@epa.gov](mailto:atkinson.emily@epa.gov)

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**From:** Holdsworth, Eric [<mailto:EHoldsworth@eei.org>]  
**Sent:** Wednesday, November 08, 2017 1:08 PM  
**To:** Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Gunasekara, Mandy <[Gunasekara.Mandy@epa.gov](mailto:Gunasekara.Mandy@epa.gov)>  
**Cc:** Shea, Quin <[QShea@eei.org](mailto:QShea@eei.org)>; Kime, Robin <[Kime.Robin@epa.gov](mailto:Kime.Robin@epa.gov)>; Dominguez, Alexander <[dominguez.alexander@epa.gov](mailto:dominguez.alexander@epa.gov)>; Atkinson, Emily <[Atkinson.Emily@epa.gov](mailto:Atkinson.Emily@epa.gov)>  
**Subject:** COP-23: EEI Contact Info

Brittany and Mandy,

Thanks again for making the time to talk with us yesterday and glad it was helpful. As promised, attached is the contact info for the EEI delegation, including email and cell numbers. If you can send me a note when you arrive with your on-site contact info, I will make sure to get ahold of you regarding details for the EEI dinner, briefings, etc. In that vein, as part of our activities at recent COP meetings, we have arranged briefings with Administration officials (e.g., White House, EPA, etc.) and US business NGO reps attending the meetings (generally about 20 or so industry folks). We'd be happy to arrange a similar meeting in Bonn if your schedule permits.

As I mentioned, we are also organizing an EEI dinner with Administration officials, which we would very much like to have the two of you attend. We are currently looking at holding it on Tuesday, November 14 at Il Punto in downtown

Bonn in order to avoid any conflicts with the US side event being held Monday evening at 6:30 pm. I'll be in touch with more information and hope that both of you can make it. We are also reaching out to Dave Banks in the hopes that the can attend as well.

Please do not hesitate to contact us if we can be of any assistance to you, either before you leave or once you are on site. I look forward to seeing both of you in Bonn.

Sincerely,

Eric

Eric Holdsworth  
Senior Director, Climate Programs | Edison Electric Institute  
202-508-5103 - office | Ex. 6 - Personal Privacy mobile | [eholdsworth@eei.org](mailto:eholdsworth@eei.org)

Message

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**From:** Kelly, Albert [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=08576E43795149E5A3F9669726DD044C-KELLY, ALBE]  
**Sent:** 11/13/2017 12:19:06 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** RE: Invitation: Western Caucus Foundation Annual Winter Policy meeting Las Vegas, NV, Dec 8th & 9th.

Thank you Justina

Albert Kelly  
Senior Advisor to the Administrator  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460  
202 306 8830

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**From:** Fugh, Justina  
**Sent:** Sunday, November 12, 2017 9:06 PM  
**To:** Kelly, Albert <kelly.albert@epa.gov>  
**Subject:** RE: Invitation: Western Caucus Foundation Annual Winter Policy meeting Las Vegas, NV, Dec 8th & 9th.

Hi Kell,  
Yeah, I don't see you being a huge fan of Vegas! Okay, so the first thing is that if you are going in your official capacity, I will not be asking you to pay out of your own pocket. I can use a gift exclusion to allow you to attend on the day that you are speaking. Now that I know that you want to attend also on the day that you are not speaking, I went looked further into the cost. Turns out that there is no fee charged for any federal attendee, so there is no cost at all. Thus, you can go for both days without raising any ethics concerns at all.  
Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** Kelly, Albert  
**Sent:** Thursday, November 09, 2017 3:36 PM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Subject:** RE: Invitation: Western Caucus Foundation Annual Winter Policy meeting Las Vegas, NV, Dec 8th & 9th.

I am considering both days. I do not want to violate anything so that is why I am asking and whatever I need to privately pay, I would. Although I am not a fan of Las Vegas at all, I think the rest of the session may contain some good information. I have not however investigated this.

Albert Kelly  
Senior Advisor to the Administrator  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

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**From:** Fugh, Justina  
**Sent:** Thursday, November 9, 2017 2:51 PM  
**To:** Kelly, Albert <kelly.albert@epa.gov>  
**Subject:** RE: Invitation: Western Caucus Foundation Annual Winter Policy meeting Las Vegas, NV, Dec 8th & 9th.

Hi there,  
So the short answer is, yes, you may speak at this event in your official capacity, and EPA can pay for your travel expenses. Now I have to work through the details. I see that this is a two day event. Are you planning on being there for two days or just the day that you are speaking? If you go for just the day that you are speaking, then you may attend and partake of any of the events offered by the sponsor to all participants on that same day. There's an exception to the definition of "gift" at 5 CFR 2635.203(a)(8) that permits you to do so. But if you want to attend on the other day (when you are not speaking), then I have to do a little more analysis for you. Just let me know whether you will be going for the one speaking day or both days, okay?  
Cheers,  
Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** Kelly, Albert  
**Sent:** Thursday, November 09, 2017 12:25 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** FW: Invitation: Western Caucus Foundation Annual Winter Policy meeting Las Vegas, NV, Dec 8th & 9th.

May I attend and speak at this?

Albert Kelly  
Senior Advisor to the Administrator  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460  
202 306 8830

---

**From:** Henry, Darrell [<mailto:dhenry@rogstrategies.com>]  
**Sent:** Wednesday, November 8, 2017 2:14 PM  
**To:** Kelly, Albert <kelly.albert@epa.gov>; Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>  
**Subject:** Invitation: Western Caucus Foundation Annual Winter Policy meeting Las Vegas, NV, Dec 8th & 9th.

On behalf of our Honorary Co-Chairs Senator Steve Daines (Chairman of the Senate Western Caucus) and Representative Paul Gosar (Chairman of the Congressional Western Caucus), we invite you to join Western Caucus Foundation for our annual winter policy meeting with members of the Senate and Congressional Western Caucuses at the Wynn Hotel in Las Vegas, Nevada, on December 8<sup>th</sup> and 9<sup>th</sup>.

[Click here for event information on the event, hotel information, and link to the agenda.](#)



The Winter Western Policy Roundtable & Public Lands Forum will promote a dialog with attendees and official policy makers on current and upcoming 2018 Western Caucus priorities. The roundtables will discuss Administration and Congressional priorities, provide information and facts to policy makers, and promote a dialog with attendees and officials on issues related to the various topics on the agenda.

We would like you to provide prepared remarks and participate in a topic discussion with Western Caucus members and staff.

The two day meeting will consist of a staff policy roundtable on Friday morning followed by a Public Lands Summit in the afternoon. On Saturday, there will be a Caucus Member led Western Policy Roundtable in the morning, a key note speech, and an optional field tour in the afternoon. The format is set up so that it will encourage engaging Q&A and cross table dialogue beyond the time slotted for prepared remarks.

Attending the Foundation's events will be Members from the Congressional and Senate Western Caucuses, Congressional Staff, and Foundation stakeholders and guests. To date, we will be joined by Senate Western Caucus Chairman Senator Steve Daines, Senator John Barrasso; Senator Dean Heller, Congressional Western Caucus Chairman Rep. Paul Gosar, Agriculture Committee Chairman Rep. Mike Conaway; Rep. Mark Amodei; Rep. Kristi Noem, Rep. Dan Newhouse, and others caucus members to be announced – plus their staff.

The Western Caucus Foundation (WCF), a non-profit organization that provides education and communications to policy makers and the public to further enhance, sustain, and preserve the West's dynamic and unique culture. The WCF is committed to advancing the following key principles: promoting economic growth; protecting private property; strengthening local control; and increasing America's energy independence and mineral production. The Foundation also assists the efforts of the Senate and Congressional Western Caucuses efforts to enhance, sustain, and preserve the West's dynamic and unique culture.

Please [click here for event information](#). You may contact Darrell Henry, Executive Director, Western Caucus Foundation at [info@westerncaucusfoundation.org](mailto:info@westerncaucusfoundation.org) for further information.

Ex. 6 - Personal Privacy

**Western Caucus Foundation** | [www.westerncaucusfoundation.org](http://www.westerncaucusfoundation.org)

400 N. Capitol St. | #382B | Washington, DC 20001

Cell: [Ex. 6 - Personal Privacy](#) Email: [info@westerncaucusfoundation.com](mailto:info@westerncaucusfoundation.com)

Like us on FB: [www.facebook.com/westerncaucusfoundation](https://www.facebook.com/westerncaucusfoundation)

Follow us on Twitter @WestCaucusFound



**\*\*\*This event is planned to fully comply with Congressional Ethics Rules and Other Applicable Laws\*\*\***

*The Western Caucus Foundation (WCF) is a charitable and educational organization organized and operated under Section 501(c)(3). It will provide education and communications to policy makers and the public to further enhance, sustain, and preserve the West's dynamic and unique culture.*

## Disclaimer

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Message

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**From:** Benevento, Douglas [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=93DBA0F4F0FC41C091499009A2676F89-BENEVENTO,]  
**Sent:** 12/1/2017 7:25:51 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**CC:** Gleason, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=96bc79d699e64c21bf4e4d524a10bf4c-Gleason, Michael]  
**Subject:** RE: Your Cordially Invited to the Housing & Building Association of Colorado Spring Holiday Party

Thanks!

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**From:** Fugh, Justina  
**Sent:** Friday, December 1, 2017 12:24 PM  
**To:** Benevento, Douglas <benevento.douglas@epa.gov>  
**Cc:** Gleason, Michael <Gleason.Michael@epa.gov>  
**Subject:** RE: Your Cordially Invited to the Housing & Building Association of Colorado Spring Holiday Party

Hi Doug,

You get the ethics gold star of the day for remembering to ask! Okay, you've been invited by the Housing & Building Association of Colorado Springs to attend their holiday party. The sponsor is not a federally registered lobbyist, and I have verified that this event will indeed qualify as a widely attended gathering for the purposes of the gift exception at 5 CFR 2635.204(g)(2). There will be approximately 400 people in attendance who represent a diversity of interests (nonprofit, federal, state, local and private sector), and your attendance will further an agency interest. That said, please note that you cannot ask EPA to pay for you to go to a widely attended gathering. If you attend, and do not otherwise have any official business to attend to, then you will have to pay for the travel expenses (mileage, parking, etc.) out of your pocket. Finally, I have verified that the cost per person is less than the reporting threshold, so you will not have to report attendance at this event on your next financial disclosure report.

Best,  
Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** Benevento, Douglas  
**Sent:** Thursday, November 30, 2017 8:26 AM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** FW: Your Cordially Invited to the Housing & Building Association of Colorado Spring Holiday Party

Am I allowed to attend this?

---

**From:** Rhonda Scurek [mailto:rhonda@cshba.com]  
**Sent:** Wednesday, November 29, 2017 11:49 AM

To: Rhonda Scurek <[rhonda@cshba.com](mailto:rhonda@cshba.com)>

Subject: Your Cordially Invited to the Housing & Building Association of Colorado Spring Holiday Party



**Rhonda Scurek**

*Manager of Member Development*

Housing & Building Association of Colorado Springs  
4585 Hilton Pkwy, Suite 100, COS, CO 80907  
P: 719-592-1800 x119 | F: 719-260-8398 | [cshba.com](http://cshba.com)



*Representing local businesses.  
Investing in local economy.  
Supporting local leadership.*

Contractor's Health Trust - Affordable health insurance.  
Member Discounts with NAHE - Pocket the savings!

Message

**From:** Dennis, Allison [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=9BF7959058B241FAB18E564E9C957B56-ADENNIS]  
**Sent:** 11/14/2017 6:55:19 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**CC:** Kitamura, Louise [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2fc1181266194f9397844944552c8c26-LKITAMUR]; Drinkard, Andrea [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=808a6b7b65bf447f93dad2f510feaf61-ADRINKAR]; Griffo, Shannon [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6c901eb2c3ba4556a4a581b8816d5a9a-Vallance, Shannon]; Duross, Jeanne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1771ddaf869f40998535d410e5b1a93e-Jduross]; Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]; Ross, Margaret [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=38caf91847dd4f95810c1f96d918871c-Ross, Margaret]; Campbell, Ann [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b8c25a0c2fb648b6a947694a8492311e-Campbell, Ann]; Penman, Crystal [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=93662678a6fd4d4695c3df22cd95935a-Penman, Crystal]  
**Subject:** RE: Ethics determinations

Thank you.  
-Allison

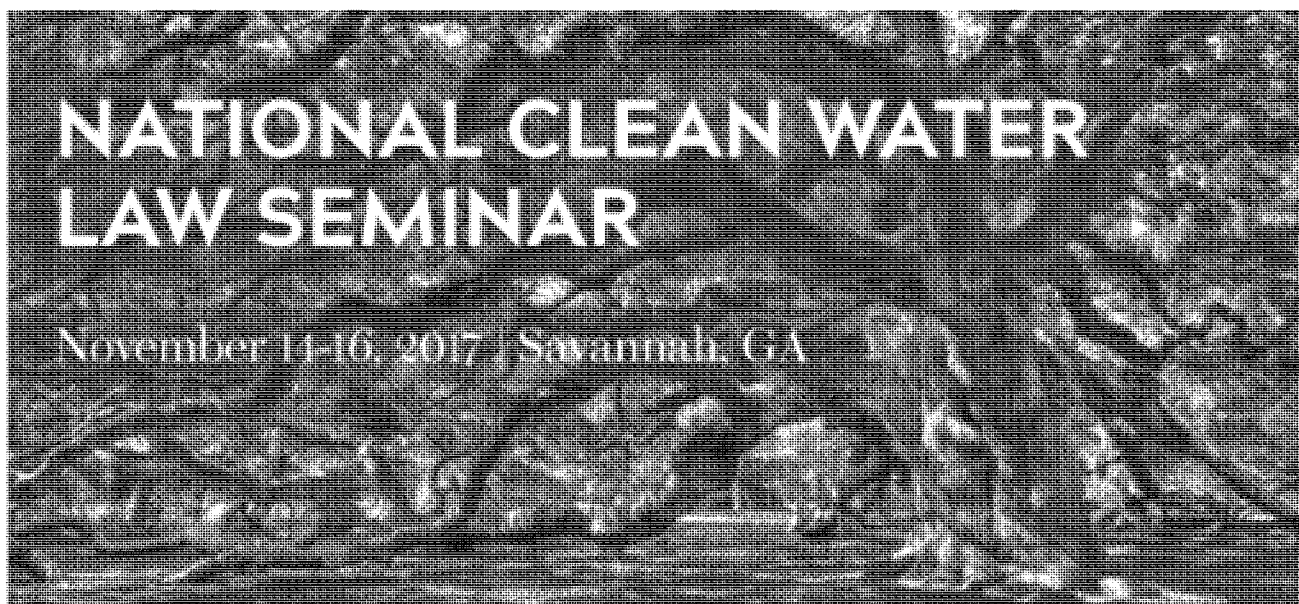
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**From:** Fugh, Justina  
**Sent:** Tuesday, November 14, 2017 1:50 PM  
**To:** Dennis, Allison <Dennis.Allison@epa.gov>  
**Cc:** Kitamura, Louise <Kitamura.Louise@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>; Griffo, Shannon <Griffo.Shannon@epa.gov>; Duross, Jeanne <Duross.Jeanne@epa.gov>; Keith, Jennie <Keith.Jennie@epa.gov>; Ross, Margaret <Ross.Margaret@epa.gov>; Campbell, Ann <Campbell.Ann@epa.gov>; Penman, Crystal <Penman.Crystal@epa.gov>  
**Subject:** Ethics determinations

Hi Allison,  
Please see the determinations below. Short answer: Lee can attend tonight's reception and dinner.

EVENT	ETHICS ANSWER
Lee asks if he may attend tonight's Roaring 20s reception from 6:00-7:00 pm. Although the host of this reception is NACWA, it includes entertainment that is sponsored by a federally registered lobbyist.	OGC/Ethics determines that Lee may attend this reception pursuant to 5 CFR 2635.204(g). We determine that his invitation comes from the sponsor of the event, not from a federally registered lobbyist, and there will be a large number of attendees representing a diversity of interests, including the public sector and the private sector. Finally, we find that his participation will further an agency interest.  This event is likely to cost below the reporting threshold, so Lee will not have to report this gift on his next financial disclosure report.

<p>Lee asks if he may attend the speaker dinner, also tonight, which is by invitation only. You have clarified that he is not the “guest of honor” at all.</p>	<p>OGC/Ethics determines that Lee may attend this reception pursuant to 5 CFR 2635.204(g). We determine that his invitation comes from the sponsor of the event, not from a federally registered lobbyist, and there will be a sufficient number attendees representing a diversity of interests, including the public sector and the private sector. Finally, we find that his participation will further an agency interest.</p> <p>OGC/Ethics has noticed that Joel Beauvais has accepted the invitation to this dinner. As a former senior official, Mr. Beauvais is subject to post-employment restrictions. OGC/Ethics will remind Mr. Beauvais of those restrictions, which include precluding him from interacting with any EPA official on any matter whatsoever. He may of course exchange pleasantries, but we will remind Mr. Beauvais that he cannot conduct any business with Mr. Forsgren.</p> <p>This event is likely to cost below the reporting threshold, so Lee will not have to report this gift on his next financial disclosure report either.</p>
<p>Lee is speaking tomorrow at the NACWA National Clean Water Law Seminar event in Savannah, GA</p>	<p>Because Lee is speaking tomorrow, he may accept free attendance on that day, which includes any meals that are offered to all participants. 5 CFR 2635.203(b)(8)</p>



We look forward to seeing you next week for NACWA's 2017 National Clean Water Law Seminar. Please refer to this e-mail as you plan your stay!

### **Before Leaving Home**

**What to Pack** - Business casual attire should serve you well – check [here](#) to see what weather will be waiting for you in Savannah, GA!

**Plan Your Stay in Savannah** – Be sure to check out the [Participant List](#), [Agenda](#), [Speaker Handouts](#) and a list of [things to do in Savannah](#). On Tuesday night, enter the prohibition era and enjoy the [Roaring 20s Reception](#). Feel free to come in costume, or we will help you dress the part! The next morning, drag yourself out of bed and join the early risers at 6:30 am in the lobby for a scenic [Savannah sunrise run](#).

**Download the NACWA Events App** – NACWA strives to be as environmentally-friendly as possible, so we encourage you to bring your tablet or laptop and download the [NACWA Events App](#). The App, available for [Apple](#) and [Android](#) mobile devices, includes the agenda, speaker presentations and biographies, a participants list and more. Internet access will be available throughout the meeting rooms during the *Seminar*.

### **Upon Arrival**

**Ground Transportation** – The Hyatt Regency Savannah is approximately 8 miles from the [Savannah Hilton Head International Airport](#) (SAV). The Hotel does not offer a complimentary shuttle; however, there are several transportation alternatives including: taxi (to the Hotel is approximately \$28 and will take 20 minutes); [K Shuttle](#) (\$20 one-way or \$30 roundtrip); or rental car (valet and self-parking are available at the Hotel).

**Registration** – Meet your colleagues and pick up your name badge beginning on Tuesday at 8:30 am at Registration on the 2nd Floor of the Hyatt Regency Savannah. Don't forget to stop by the registration desk each day to sign-in for your CLE Credit. The [National Water Enforcement Workshop](#) will be immediately following the *Law Seminar*, so if you haven't registered yet, it is not too late to join us for another day!

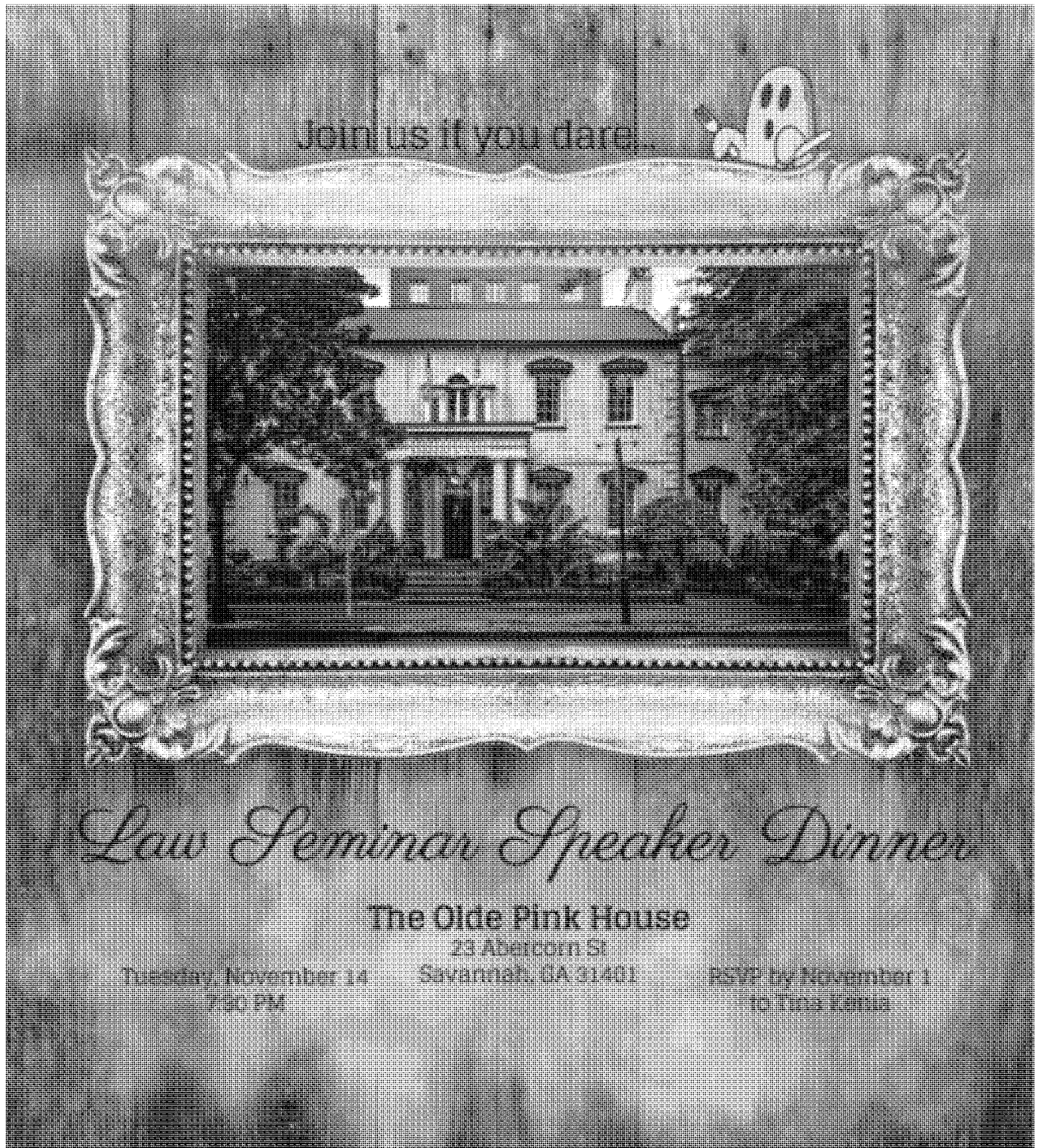
### **Safe Travels!**

Thank you in advance for attending the 2017 *National Clean Water Law Seminar*! Travel safe, and as always, if we can be of any assistance, please contact us at 202.833.2672 or [info@nacwa.org](mailto:info@nacwa.org).

See you in Savannah!

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Halloween may be over, but NACWA's Law Seminar Speaker Dinner offers another near-term opportunity to commune with the spirits (i.e., ghosts and/or libations). The [Olde Pink House](#) is considered by unnamed, unreliable, and self-serving sources to be one of the most haunted buildings in Savannah. It is said that the food is so good at the [OPH](#) that James Habersham Jr. who built the house in 1771 often makes an appearance at dinner time. See for yourself – join your fellow speakers, NACWA staff and Mr. Habersham for dinner.



**National Association of Clean Water Agencies**  
1816 Jefferson Place, NW, Washington, DC 20036, (202) 833-2672  
[www.nacwa.org](http://www.nacwa.org)

Unsubscribe from Law Seminar or manage your preferences at any time. You may also unsubscribe from all future emails.



Message

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**From:** Dennis, Allison [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=9BF7959058B241FAB18E564E9C957B56-ADENNIS]  
**Sent:** 11/14/2017 5:42:18 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**CC:** Kitamura, Louise [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2fc1181266194f9397844944552c8c26-LKITAMUR]; Drinkard, Andrea [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=808a6b7b65bf447f93dad2f510feaf61-ADRINKAR]; Griffo, Shannon [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6c901eb2c3ba4556a4a581b8816d5a9a-Vallance, Shannon]; Duross, Jeanne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1771ddaf869f40998535d410e5b1a93e-Jduross]; Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]; Ross, Margaret [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=38caf91847dd4f95810c1f96d918871c-Ross, Margaret]; Campbell, Ann [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b8c25a0c2fb648b6a947694a8492311e-Campbell, Ann]; Penman, Crystal [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=93662678a6fd4d4695c3df22cd95935a-Penman, Crystal]  
**Subject:** Re: Quickturn Ethics check for Lee's event tomorrow

Thank you for chatting with me this morning Justina. We will look to you and your team for all of the ethics determinations that need to be made here. I will wait to hear from you and your team on the reception , speaker dinner, etc. please let me know if there is any additional information that you need to make your decisions. The reception is at 6 tonight , the speaker dinner is at 7 tonight and Lee speaks tomorrow morning .

Sent from my iPhone

On Nov 14, 2017, at 10:47 AM, Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)> wrote:

Allison,

You have not been designated as an ethics official, so therefore are not authorized to make a determination as to whether a reception qualifies as widely attended or not. It's inappropriate for you to write that you "determined that the reception meets the WAG criteria." You are not authorized to do so. I can only hope that you were being overly casual in your writing.

I will see Mike Shapiro tomorrow morning so I will walk him through the necessary determination, which must be in writing. I do NOT advise that he make any determination without me as Lee is subject to the Trump Ethics Pledge.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** Dennis, Allison

**Sent:** Tuesday, November 14, 2017 10:21 AM

**To:** Kitamura, Louise <[Kitamura.Louise@epa.gov](mailto:Kitamura.Louise@epa.gov)>; Drinkard, Andrea <[Drinkard.Andrea@epa.gov](mailto:Drinkard.Andrea@epa.gov)>

**Cc:** Griffo, Shannon <[Griffo.Shannon@epa.gov](mailto:Griffo.Shannon@epa.gov)>; Duross, Jeanne <[Duross.Jeanne@epa.gov](mailto:Duross.Jeanne@epa.gov)>; Keith, Jennie <[Keith.Jennie@epa.gov](mailto:Keith.Jennie@epa.gov)>; Ross, Margaret <[Ross.Margaret@epa.gov](mailto:Ross.Margaret@epa.gov)>; Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>; Campbell, Ann <[Campbell.Ann@epa.gov](mailto:Campbell.Ann@epa.gov)>; Penman, Crystal <[Penman.Crystal@epa.gov](mailto:Penman.Crystal@epa.gov)>

**Subject:** RE: Quickturn Ethics check for Lee's event tomorrow

Thank you Louise and Justina for your helpful counsel.

After checking on a few things I've determined that the reception meets the WAG criteria so I believe Lee is fine to attend as long as Mike Shapiro approves. I'll secure that approval now.

For the speaker dinner, NACWA, the host, hasn't advertised his presence at the event at all nor is charging any of the invitees (NACWA event speakers) to attend. You can read more about the speaker dinner at the bottom of this email chain to see how it's being promoted. Lastly, "the guest of honor" term actually doesn't have any significance. He was invited to attend the dinner just like the rest of the event speakers. I think the event organizer just said that to Lee and us to be nice. He will have to pay for his dinner.

We will also inform him of his duty to pay for a one-day conference registration if he chooses to listen to a session this afternoon (his keynote is taking place tomorrow morning.)

I think this covers it. If you have any concerns or questions, please let me know. Thanks!

---

**From:** Kitamura, Louise

**Sent:** Monday, November 13, 2017 4:30 PM

**To:** Dennis, Allison <[Dennis.Allison@epa.gov](mailto:Dennis.Allison@epa.gov)>; Drinkard, Andrea <[Drinkard.Andrea@epa.gov](mailto:Drinkard.Andrea@epa.gov)>

**Cc:** Griffo, Shannon <[Griffo.Shannon@epa.gov](mailto:Griffo.Shannon@epa.gov)>; Duross, Jeanne <[Duross.Jeanne@epa.gov](mailto:Duross.Jeanne@epa.gov)>; Keith, Jennie <[Keith.Jennie@epa.gov](mailto:Keith.Jennie@epa.gov)>; Ross, Margaret <[Ross.Margaret@epa.gov](mailto:Ross.Margaret@epa.gov)>; Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>

**Subject:** RE: Quickturn Ethics check for Lee's event tomorrow

Hi Allison,

I'm so glad you asked the question. I wanted to be 100% sure, because Lee will not be able to attend these events, free-of charge. I think it would be helpful to confirm the following:

Roaring 20s. We would need to confirm that it meets the parameters of a Widely Attended Gathering. See paragraph (g) in the following link: <https://www.law.cornell.edu/cfr/text/5/2635.204> . If it passes the test, we'll need approval from Mike Shapiro for Lee to attend.

Guest of Honor event: OGE/Ethics will need more information as to what capacity Lee is the guest of honor.

I will be out of the office beginning tonight (returning next week Tuesday)—therefore I will try to catch you or Andrea today to get this resolved ASAP. Meanwhile, I wanted to include the OGE/Ethics contacts to keep them in the loop.

*Louise Kitamura*  
*Office of Water*

**From:** Fugh, Justina

**Sent:** Monday, November 13, 2017 3:21 PM

**To:** Kitamura, Louise <Kitamura.Louise@epa.gov>

**Cc:** Griffo, Shannon <Griffo.Shannon@epa.gov>; Duross, Jeanne <Duross.Jeanne@epa.gov>; Keith, Jennie <Keith.Jennie@epa.gov>; Ross, Margaret <Ross.Margaret@epa.gov>

**Subject:** RE: Quickturn Ethics check for Lee's event tomorrow

Yes, of course there are ethics issues associated with these events. He is being offered gifts of free food because of his official position and from prohibited sources. Obviously, you all – including Allison – will benefit from taking this year's annual ethics training that focuses on gifts and travel. There are three different events to consider, and they all raise concerns.

EVENT	ETHICS RESPONSE	ETHICS CITATION
Lee is speaking at the NACWA National Clean Water Law Seminar event in Savannah, GA	OK. Because he is speaking on that day, he can accept free attendance at the conference on that day ONLY. Anything that is offered to all other participants can be accepted by Lee on the day that he is speaking, including meals and receptions. Any special ticket events cannot be accepted without specific approval from an ethics official.	5 CFR 2635.203(b)(8)
He wants to attend the event's Roaring 20s Reception from 6:00-7:00 pm the day before which is free to all event attendees.	NO. The gift exclusion used above does not apply here. If he wants to attend this event, then you need to do a widely attended gathering determination. But if the donor is a federally registered lobbyist, then that won't work.	Possibly a WAG per 5 CFR 2635.204(g) unless the sponsor is a lobbyist. If so, then possibly OGC/Ethics will consider an ethics travel approval. If not possible, then we have to ascertain the cost per person from the donor and he pays out of his own pocket. It won't be good enough for him to say he will pay for his drinks like at a cash bar.
He is also planning to attend the speaker dinner the night before which is by invite only. He is the guest of honor at that event. We're checking to see if the other attendees have to pay to attend the event or not.	NO. He needs ethics clearance to attend the speakers' dinner, and I don't see how he can be the "guest of honor." What does that mean? I need to see how they are promoting this event. He can't be honored with reference to his EPA position and title, and if the donor is a federally registered lobbyist, then	OGC/Ethics can possibly consider an ethics travel approval, but there are other serious concerns here.

	there are Trump pledge issues here, too.	
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Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** Dennis, Allison  
**Sent:** Monday, November 13, 2017 2:13 PM  
**To:** Kitamura, Louise <[Kitamura.Louise@epa.gov](mailto:Kitamura.Louise@epa.gov)>  
**Cc:** Campbell, Ann <[Campbell.Ann@epa.gov](mailto:Campbell.Ann@epa.gov)>; Penman, Crystal <[Penman.Crystal@epa.gov](mailto:Penman.Crystal@epa.gov)>  
**Subject:** Quickturn Ethics check for Lee's event tomorrow

Hi Louise,

Lee is speaking at the NACWA National Clean Water Law Seminar event in Savannah on Wednesday (providing the conference keynote).

He is planning to attend the event's Roaring 20s Reception from 6:00-7:00 pm the day before which is free to all event attendees.

He is also planning to attend the speaker dinner the night before which is by invite only. He is the guest of honor at that event. We're checking to see if the other attendees have to pay to attend the event or not.

Are there any ethical issues with Lee attending these events? I didn't think so but I just wanted to cover our bases. Thanks! - Allison

---

**From:** Penman, Crystal  
**Sent:** Thursday, November 09, 2017 11:54 AM  
**To:** Dennis, Allison <[Dennis.Allison@epa.gov](mailto:Dennis.Allison@epa.gov)>  
**Subject:** FW: See You Next Week in Savannah!

**Crystal Penman**  
Program Specialist  
Office of Water  
Immediate Office  
U.S. Environmental Protection Agency  
Work: 202-564-3318  
[Penman.Crystal@epa.gov](mailto:Penman.Crystal@epa.gov)

---

**From:** Amanda Waters [<mailto:AWaters@nacwa.org>]  
**Sent:** Thursday, November 9, 2017 10:40 AM  
**To:** Penman, Crystal <[Penman.Crystal@epa.gov](mailto:Penman.Crystal@epa.gov)>

Cc: Forsgren, Lee <Forsgren.Lee@epa.gov>

Subject: See You Next Week in Savannah!

Good morning Crystal. I just spoke with Lee and I am following up with some additional information for next week.


- <!--[if !supportLists]--><!--[endif]-->Lee is planning to attend NACWA's Roaring 20s Reception from 6:00-7:00 pm on Tuesday, November 14. The address is: Belford's Savannah, 315 W. St Julian St., Savannah, GA 31401
- <!--[if !supportLists]--><!--[endif]-->He will also be our guest of honor at the Law Seminar Speaker Dinner starting at 7:30 on Tuesday at the Old Pink House (see details below)
- <!--[if !supportLists]--><!--[endif]-->CLE List – Looks like our application with Virginia is still pending regarding the amount of credits that will be offered.
- <!--[if !supportLists]--><!--[endif]-->My cell phone number is Ex. 6 - Personal Privacy should Lee need to reach me in Savannah.
- <!--[if !supportLists]--><!--[endif]-->We have this short bio for Lee. Please review and send me any revisions as soon as possible.

Dennis Lee Forgren, Jr.  
Deputy Assistant Administrator, Office of Water  
US Environmental Protection Agency  
Washington, DC

Dennis "Lee" Forsgren joined the Environmental Protection Agency on June 19th, 2017 as the Deputy Assistant Administrator for the Office of Water. His background includes legal and policy guidance in areas such as energy, water resources, and natural resource management, along with work on Capitol Hill. In addition, he worked as the Assistant Administrator for Legislative Affairs at NASA between 2003 and 2005.

Thanks so much.

Warm regards,

Amanda J. Waters | National Association of Clean Water Agencies | General Counsel | 202/530-2758 | Ex. 6 - Personal Privacy cell | [awaters@nacwa.org](mailto:awaters@nacwa.org) |  [@amandawaters99](mailto:@amandawaters99) | Visit us at [www.nacwa.org](http://www.nacwa.org)

<!--[if !vml]--><img alt="image003.png" data-bbox="112 655 155 687"/><!--[endif]-->Join us for the National Clean Water Law Seminar, November 14-16, and National Water Enforcement Workshop, November 16-17, in Savannah, GA!

<img alt="image002.png" data-bbox="112 703 155 736"/><img alt="image005.jpg" data-bbox="155 703 195 736"/><img alt="image007.png" data-bbox="195 703 235 736"/><img alt="image005.jpg" data-bbox="235 703 275 736"/><img alt="image009.png" data-bbox="275 703 315 736"/><img alt="image012.png" data-bbox="315 703 355 736"/><img alt="image014.jpg" data-bbox="355 703 395 736"/>

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The information contained in this message is confidential and may be legally privileged. If you have received it in error, please notify us immediately and delete this message. Thank you for your cooperation.

# NATIONAL CLEAN WATER LAW SEMINAR

November 14-16, 2017 / Savannah, GA

We look forward to seeing you next week for NACWA's 2017 National Clean Water Law Seminar. Please refer to this e-mail as you plan your stay!

## Before Leaving Home

**What to Pack** - Business casual attire should serve you well – check [here](#) to see what weather will be waiting for you in Savannah, GA!

**Plan Your Stay in Savannah** – Be sure to check out the [Participant List](#), [Agenda](#), [Speaker Handouts](#) and a list of [things to do in Savannah](#). On Tuesday night, enter the prohibition era and enjoy the [Roaring 20s Reception](#). Feel free to come in costume, or we will help you dress the part! The next morning, drag yourself out of bed and join the early risers at 6:30 am in the lobby for a scenic [Savannah sunrise run](#).

**Download the NACWA Events App** – NACWA strives to be as environmentally-friendly as possible, so we encourage you to bring your tablet or laptop and download the [NACWA Events App](#). The App, available for [Apple](#) and [Android](#) mobile devices, includes the agenda, speaker presentations and biographies, a participants list and more. Internet access will be available throughout the meeting rooms during the *Seminar*.

## Upon Arrival

**Ground Transportation** – The Hyatt Regency Savannah is approximately 8 miles from the [Savannah Hilton Head International Airport \(SAV\)](#). The Hotel does not offer a complimentary shuttle; however, there are several transportation alternatives including: taxi (to the Hotel is approximately \$28 and will take 20 minutes); [K Shuttle](#) (\$20 one-way or \$30 roundtrip); or rental car (valet and self-parking are available at the Hotel).

**Registration** – Meet your colleagues and pick up your name badge beginning on Tuesday at 8:30 am at Registration on the 2nd Floor of the Hyatt Regency Savannah. Don't forget to stop by the registration desk each day to sign-in for your CLE Credit. The [National Water Enforcement Workshop](#) will be immediately following the *Law Seminar*, so if you haven't registered yet, it is not too late to join us for another day!

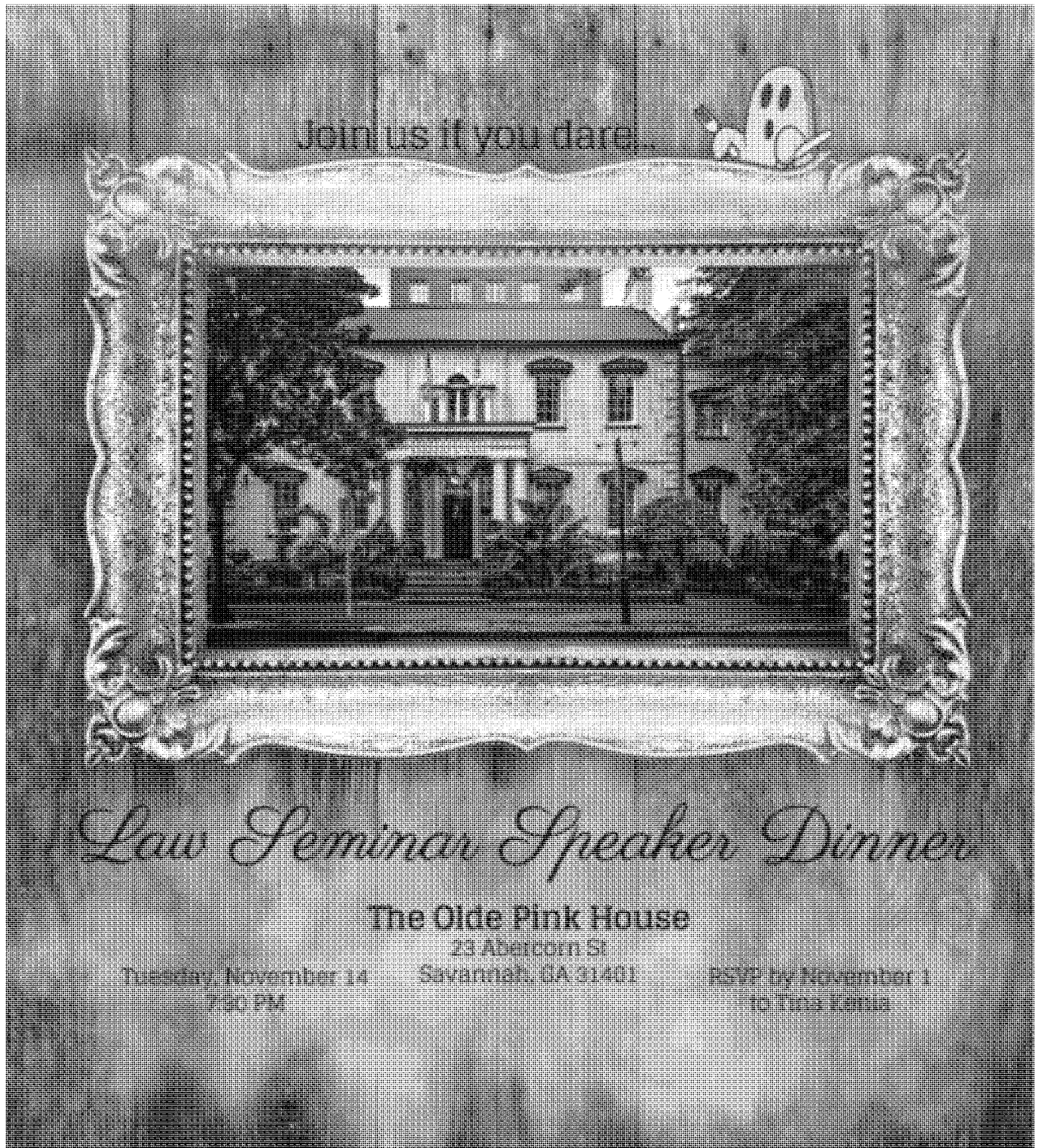
**Safe Travels!**

Thank you in advance for attending the 2017 *National Clean Water Law Seminar*! Travel safe, and as always, if we can be of any assistance, please contact us at 202.833.2672 or [info@nacwa.org](mailto:info@nacwa.org).

See you in Savannah!

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Halloween may be over, but NACWA's Law Seminar Speaker Dinner offers another near-term opportunity to commune with the spirits (i.e., ghosts and/or libations). The Olde Pink House is considered by unnamed, unreliable, and self-serving sources to be one of the most haunted buildings in Savannah. It is said that the food is so good at the OPH that James Habersham Jr. who built the house in 1771 often makes an appearance at dinner time. See for yourself – join your fellow speakers, NACWA staff and Mr. Habersham for dinner.



**National Association of Clean Water Agencies**  
1816 Jefferson Place, NW, Washington, DC 20036, (202) 833-2672  
[www.nacwa.org](http://www.nacwa.org)

Unsubscribe from Law Seminar or manage your preferences at any time. You may also unsubscribe from all future emails.



Message

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**From:** Ford, Hayley [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=4748A9029CF74453A20EE8AC9527830C-FORD, HAYLE]  
**Sent:** 11/27/2017 8:45:09 PM  
**To:** Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]; Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** FW: Club for Growth Speaker Invitation  
**Attachments:** CFG- EPA Administrator Pruitt Speaker Request Form.docx; Scott Pruitt.pdf

Hello Jennie and Justina,

Can you please review/approve the attached keynote speaking invitation? Thank you!

Hayley Ford  
Deputy White House Liaison and Personal Aide to the Administrator  
Environmental Protection Agency  
ford.hayley@epa.gov  
Phone: 202-564-2022  
Cell: 202-306-1296

-----Original Message-----

From: Virginia Galligan [mailto:VGalligan@clubforgrowth.org]  
Sent: Thursday, November 9, 2017 5:19 PM  
To: Ford, Hayley <ford.hayley@epa.gov>  
Cc: Hupp, Millan <hupp.millan@epa.gov>  
Subject: Re: Club for Growth Speaker Invitation

Thank you Hayley!

Attached is the form. Please let me know how I can be of additional assistance.

Best,

Virginia

Ex. 6 - Personal Privacy

Message

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**From:** Bolen, Brittany [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=31E872A691114372B5A6A88482A66E48-BOLEN, BRIT]  
**Sent:** 12/14/2017 5:34:32 PM  
**To:** Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]  
**CC:** OGC Ethics [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d2008c2d46ec4cd783b3b20b84a10fdd-OGC Ethics]  
**Subject:** RE: (EPA ETHICS) Political Appointee Wants to Attend Your Holiday Party

Hi Jennie –

Thank you for your assistance with this inquiry. Based on the response below; however, I will not be attending the event tonight. I apologize for any inconvenience this may have caused you.

Best,  
Brittany

---

**From:** Keith, Jennie  
**Sent:** Thursday, December 14, 2017 10:31 AM  
**To:** Bolen, Brittany <bolen.brittany@epa.gov>  
**Cc:** OGC Ethics <OGC\_Ethics@epa.gov>  
**Subject:** (EPA ETHICS) Political Appointee Wants to Attend Your Holiday Party

Good morning, Brittany!

We have the answers. To attend tonight's party, it will be \$100.

You may make a check payable to and sent to the following:

A check payable to National Association of Manufacturers may be sent to the Attention of Meetings Management to 733 10<sup>th</sup> Street, NW, Washington DC 20001.

Brittany, please follow up and let us know if you will attend. Also, please send me a picture of your check as a record of your payment (if that's easy to do!). If you'd like some help, OGC/Ethics is happy to mail your check on your behalf.

Hopefully, I'll remember to reach out to you in a couple months to ensure NAM cashed your check. Or, if you're able to remember when you review your records, please send a follow up email to confirm.

Thanks!  
Jennie for OGC/Ethics

---

**From:** Shonzia Thompson [<mailto:SThompson@nam.org>]  
**Sent:** Thursday, December 14, 2017 9:56 AM  
**To:** Keith, Jennie <[Keith.Jennie@epa.gov](mailto:Keith.Jennie@epa.gov)>  
**Cc:** Ross Eisenberg <[REisenberg@nam.org](mailto:REisenberg@nam.org)>; Quentin Riegel <[QRIEGEL@nam.org](mailto:QRIEGEL@nam.org)>  
**Subject:** RE: (EPA ETHICS) Political Appointee Wants to Attend Your Holiday Party

Good morning,  
Please see responses to your questions below in blue.

Shonzia Thompson, CAE, CMP  
National Association of Manufacturers  
Vice President, Meetings Management

Direct: (202) 637-3070  
Mobile: Ex. 6 - Personal Privacy  
Email: [sthompson@nam.org](mailto:sthompson@nam.org)



**From:** Keith, Jennie <[Keith.Jennie@epa.gov](mailto:Keith.Jennie@epa.gov)>  
**Sent:** Wednesday, December 13, 2017 8:10:10 PM  
**To:** Ross Eisenberg  
**Subject:** (EPA ETHICS) Political Appointee Wants to Attend Your Holiday Party

Hi Ross,

I'm reaching out to you on behalf of Brittany Bolen, who would like to attend the NAM holiday party tomorrow. I sent the email below earlier today and haven't yet received a response. Are you an appropriate person to be able to answer the following questions below?

Thanks!  
Jennie for EPA Ethics

---

**From:** Keith, Jennie  
**Sent:** Wednesday, December 13, 2017 10:30 AM  
**To:** [meetingsmanagement@nam.org](mailto:meetingsmanagement@nam.org)  
**Cc:** [Jay.W.Timmons@nam.org](mailto:Jay.W.Timmons@nam.org)  
**Subject:** (EPA ETHICS) Political Appointee Wants to Attend Your Holiday Party

Good morning,

Per your invitation, one of EPA's political appointees, Brittany Bolen, would like to attend your holiday party this Thursday, December 14. Since your organization is a federally registered lobbyist, under the President's Ethics Pledge, political appointees in the executive branch may attend only if they pay to attend. Attendance at the holiday party is considered a gift even though you are not charging a fee to attend; therefore, in order for it not to be a gift, political appointees must pay to attend. I need the following items of information in order to facilitate Ms. Bolen's attendance:

- 1) I would like to have a dollar value of the cost per person to attend this event. The estimated dollar value is \$100.

To provide the dollar value, you may choose to give the per person cost estimate for you to host the event or you may provide the value based on food, beverages, entertainment, and any other tangible

benefit offered to your attendees such as gift bags and valet parking. I don't need a breakdown of these expenses but rather the inclusive cost/person expense.

- 2) I need information regarding to whom she should write a check and to whom she should give it or to whom she should send it. If you are able to provide an alternative mechanism for paying which would also offer a record that the political appointee paid (e.g., such as an electronic receipt), that's also permissible, too. A check payable to National Association of Manufacturers may be sent to the Attention of Meetings Management to 733 10<sup>th</sup> Street, NW, Washington DC 20001.

Thanks so much for responding to my nosy questions!

Regards, Jennie for EPA Ethics

Jennie Keith | Ethics Officer | Office of General Counsel | US EPA | Mail Code 2311A | Room 4313 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-3412 | fax 202-564-1772

Message

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**From:** Bolen, Brittany [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=31E872A691114372B5A6A88482A66E48-BOLEN, BRIT]  
**Sent:** 12/14/2017 12:27:05 AM  
**To:** Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]; Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** RE: Request to attend event on 12/14

Hi Jennie –

Thank you for reaching out. Can I provide you another point of contact there?

Brittany

---

**From:** Keith, Jennie  
**Sent:** Wednesday, December 13, 2017 7:11 PM  
**To:** Bolen, Brittany <bolen.brittany@epa.gov>; Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** RE: Request to attend event on 12/14

Hi Brittany,

Both Justina and I wrote separate emails, but haven't heard back yet.

Thanks!

Jennie for OGC/Ethics

---

**From:** Bolen, Brittany  
**Sent:** Wednesday, December 13, 2017 6:51 PM  
**To:** Keith, Jennie <Keith.Jennie@epa.gov>; Fugh, Justina <Fugh.Justina@epa.gov>  
**Cc:** Duross, Jeanne <Duross.Jeanne@epa.gov>; Griffo, Shannon <Griffo.Shannon@epa.gov>  
**Subject:** RE: Request to attend event on 12/14

Hi Jennie –

I am just checking to see if you have heard from NAM today?

Thank you for your help,

Brittany

---

**From:** Keith, Jennie  
**Sent:** Wednesday, December 13, 2017 10:07 AM  
**To:** Bolen, Brittany <bolen.brittany@epa.gov>; Fugh, Justina <Fugh.Justina@epa.gov>  
**Cc:** Duross, Jeanne <Duross.Jeanne@epa.gov>; Griffo, Shannon <Griffo.Shannon@epa.gov>  
**Subject:** RE: Request to attend event on 12/14

Morning Brittany,

I will reach out to NAM today and hope to have a figure to you soon.

Thanks!

Jennie for OGC/Ethics

---

**From:** Bolen, Brittany  
**Sent:** Tuesday, December 12, 2017 7:12 PM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Cc:** Keith, Jennie <[Keith.Jennie@epa.gov](mailto:Keith.Jennie@epa.gov)>; Duross, Jeanne <[Duross.Jeanne@epa.gov](mailto:Duross.Jeanne@epa.gov)>; Griffo, Shannon <[Griffo.Shannon@epa.gov](mailto:Griffo.Shannon@epa.gov)>  
**Subject:** Re: Request to attend event on 12/14

Justina,  
The invitation I copied below was emailed to me by [Jay W. Timmons@nam.org](mailto:Jay.W.Timmons@nam.org). There was not a phone number included. I can certainly provide contact information for another representative of NAM. Please let me know if additional points of contact would help answer your question.  
Thanks,  
Brittany

On Dec 12, 2017, at 6:59 PM, Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)> wrote:

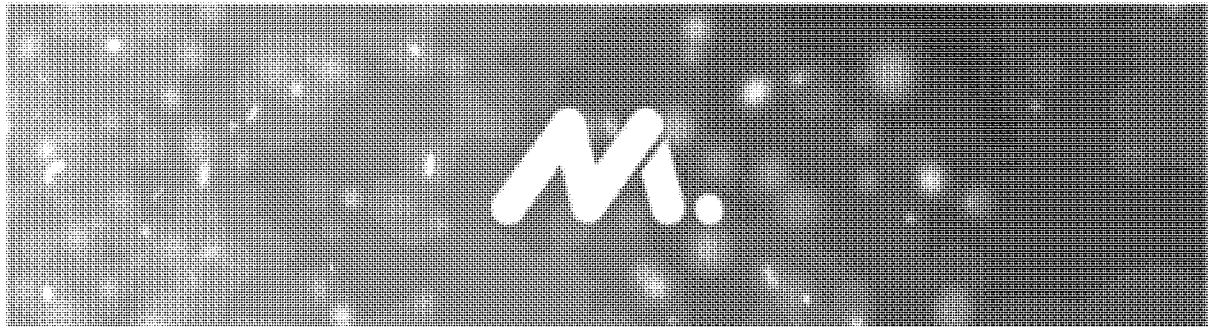
Brittany,  
Do you have any contact information? We can't ascertain the per person price unless we talk to the NAM, which is a federally registered lobbyist. And if we can't find someone to answer our question, then you can't be ethically permitted to go.  
Justina

Sent from my iPhone

On Dec 12, 2017, at 1:36 PM, Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)> wrote:

Hi Justina –  
Per your guidance below, I am requesting approval to attend a holiday event being hosted by the National Association of Manufacturers this Thursday, December 14. A copy of the invitation I received is pasted below. Please advise me on next steps, including the amount I will personally need to pay to attend this event in accordance with my ethics requirements.  
Thank you,  
Brittany

Can't  
see the  
images?  
[View it  
online.](#)



Jay Timmons and the National Association of Manufacturers invite you to the official holiday celebration for manufacturers in America. Join us to toast the people who are creating the future.

**DECEMBER 14**  
**5:00 - 8:00 P.M.**

NAM HEADQUARTERS  
733 10TH STREET NW,  
SUITE 700  
WASHINGTON, DC 20001



**Please RSVP by December 4**

This event has been designed to meet the "reception exception" as stated by the Senate Select Ethics and House Ethics Committees. Invitation is non-transferable.

**CREATORS**  
**WANTED**

---

**From:** Fugh, Justina

**Sent:** Friday, December 1, 2017 4:02 PM

**To:** Bennett, Tate <[Bennett.Tate@epa.gov](mailto:Bennett.Tate@epa.gov)>; Bolen, Derrick <[bolen.derrick@epa.gov](mailto:bolen.derrick@epa.gov)>; Burke, Marcella <[burke.marcella@epa.gov](mailto:burke.marcella@epa.gov)>; Cory, Preston (Katherine) <[Cory.Preston@epa.gov](mailto:Cory.Preston@epa.gov)>; Darwin, Henry <[darwin.henry@epa.gov](mailto:darwin.henry@epa.gov)>; Falvo, Nicholas <[falvo.nicholas@epa.gov](mailto:falvo.nicholas@epa.gov)>; Ford, Hayley <[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)>; Greenwalt, Sarah <[greenwalt.sarah@epa.gov](mailto:greenwalt.sarah@epa.gov)>; Hupp, Millan <[hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)>; Konkus, John <[konkus.john@epa.gov](mailto:konkus.john@epa.gov)>; Lovell, Will (William) <[lovell.william@epa.gov](mailto:lovell.william@epa.gov)>; McMurray, Forrest <[mcmurray.forrest@epa.gov](mailto:mcmurray.forrest@epa.gov)>; Munoz, Charles <[munoz.charles@epa.gov](mailto:munoz.charles@epa.gov)>; Palich, Christian <[palich.christian@epa.gov](mailto:palich.christian@epa.gov)>; Ringel, Aaron <[ringel.aaron@epa.gov](mailto:ringel.aaron@epa.gov)>; Rodrick, Christian <[rodrick.christian@epa.gov](mailto:rodrick.christian@epa.gov)>; Sands, Jeffrey <[sands.jeffrey@epa.gov](mailto:sands.jeffrey@epa.gov)>; Schwab, Justin <[Schwab.Justin@epa.gov](mailto:Schwab.Justin@epa.gov)>; Shimmin, Kaitlyn <[shimmin.kaitlyn@epa.gov](mailto:shimmin.kaitlyn@epa.gov)>; Stepp, Cathy <[stepp.cathy@epa.gov](mailto:stepp.cathy@epa.gov)>; Baptist, Erik <[baptist.erik@epa.gov](mailto:baptist.erik@epa.gov)>; Benevento, Douglas <[benevento.douglas@epa.gov](mailto:benevento.douglas@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Bowman, Liz <[Bowman.Liz@epa.gov](mailto: Bowman.Liz@epa.gov)>; Chmielewski, Kevin <[chmielewski.kevin@epa.gov](mailto:chmielewski.kevin@epa.gov)>; Darwin, Henry <[darwin.henry@epa.gov](mailto:darwin.henry@epa.gov)>; Dravis, Samantha <[dravis.samantha@epa.gov](mailto:dravis.samantha@epa.gov)>; Forsgren, Lee <[Forsgren.Lee@epa.gov](mailto:Forsgren.Lee@epa.gov)>; Fotouhi, David <[Fotouhi.David@epa.gov](mailto:Fotouhi.David@epa.gov)>; Glenn, Trey <[Glenn.Trey@epa.gov](mailto:Glenn.Trey@epa.gov)>; Greaves, Holly <[greaves.holly@epa.gov](mailto:greaves.holly@epa.gov)>; Gulliford, Jim <[gulliford.jim@epa.gov](mailto:gulliford.jim@epa.gov)>; Harlow, David <[harlow.david@epa.gov](mailto:harlow.david@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Kelly, Albert <[kelly.albert@epa.gov](mailto:kelly.albert@epa.gov)>; Lopez, Peter <[lopez.peter@epa.gov](mailto:lopez.peter@epa.gov)>; Lyons, Troy <[lyons.troy@epa.gov](mailto:lyons.troy@epa.gov)>; Servidio, Cosmo <[Servidio.Cosmo@epa.gov](mailto:Servidio.Cosmo@epa.gov)>; Traylor, Patrick <[traylor.patrick@epa.gov](mailto:traylor.patrick@epa.gov)>; Wagner, Kenneth <[wagner.kenneth@epa.gov](mailto:wagner.kenneth@epa.gov)>; Yamada, Richard (Yujiro) <[yamada.richard@epa.gov](mailto:yamada.richard@epa.gov)>; Wehrum, Bill <[Wehrum.Bill@epa.gov](mailto:Wehrum.Bill@epa.gov)>; Bodine, Susan <[bodine.susan@epa.gov](mailto:bodine.susan@epa.gov)>; Dourson, Michael <[dourson.michael@epa.gov](mailto:dourson.michael@epa.gov)>  
**Cc:** ethics <[ethics@epa.gov](mailto:ethics@epa.gov)>; Minoli, Kevin <[Minoli.Kevin@epa.gov](mailto:Minoli.Kevin@epa.gov)>  
**Subject:** Dear OGC/Ethics -- May I Attend This Holiday Party?

Reminder for Political Appointees  
Don't Assume You Can Accept Invitations To Seasonal  
Celebrations and Other Receptions  
— *Always Ask!*

Dear EPA political appointees –



I'm writing to remind you about your obligations under the Trump Ethics Pledge that you signed. We know it's that festive time of year when you may be invited to go to holiday receptions and parties, so the EPA ethics elves are sending you this reminder to be careful.

**What's a gift?**

In your initial ethics briefing, you learned about the gift rules in the Standards of Conduct and the additional restrictions imposed upon you by the Trump Ethics Pledge that you signed when you joined EPA. As a federal employee, you cannot accept a gift that is offered to you because of your official position or from a prohibited source. "Gift" is defined to include gratuities, favors, discounts, entertainment, hospitality and other items having monetary value. The definition is very broad, and it encompasses free attendance at the kinds of dinners, receptions and other networking events that are common in D.C., particularly during the holiday season.

**What's the rule?**

You are prohibited from accepting any gift (including invitations to holiday parties) from a federally registered lobbyist. Even if the invitation says that it's a "widely attended gathering" or that it meets the Congressional ethics rules, don't assume you can go. You're an EPA political appointee, so you must get written approval from OGC/Ethics before you go to the event. When you send the invitation to OGC/Ethics, the first thing we will do is determine whether the sponsor of the event is a federally registered lobbyist.

- **Event is sponsored by a federally registered lobbyist**

In this case, the Lobbyist Gift Ban applies. When you signed the pledge, you promised not to accept gifts from federally registered lobbyists. The common exception for a "widely attended gathering" (WAG) does not apply to invitations from and events sponsored by federally registered lobbyists. **YOU CAN NEVER ACCEPT THE GIFT OF FREE ATTENDANCE TO A WAG FROM A FEDERALLY REGISTERED LOBBYIST.**

If the event is sponsored by a federally registered lobbyist, but you really want to attend

...

then you will need to work closely with OGC/Ethics to pay personally out of your pocket. It's not enough to say that you'll pay for your drinks and won't eat. The rule is that you can't even go to the event unless you pay personally for the cost per person. So, upon request, OGC/Ethics will contact the sponsor to determine the cost per person that will have to pay, and to whom. We want to help you document your payment so that you can show you have not violated the Trump Ethics Pledge.

- **Event is not sponsored by a federally registered lobbyist**

In this case, OGC/Ethics will determine if the "Widely Attended Gathering" (WAG) exception applies to permit your attendance. The WAG exception allows ethics officials to approve an employee's acceptance of free attendance upon a written determination that your attendance furthers an agency interest. In order for OGC/Ethics to clear your attendance, there must be a large number of people attending the event as well as a diversity of views or interests among those attending. If the offer to attend is from the sponsor of the event, there is no limit on the value of the event. If the offer of free attendance comes from someone other than the sponsor, then the value of the gift

(your attendance and your spouse's, if applicable) cannot exceed \$390. Should your ethics official determines that you may accept the gift and attend, you will do so in your personal capacity and not on government time. And you may have to disclose the gift on your OGE-278, depending on its value. OGC/Ethics will let you know whether you have to report the gift when we notify you that it has been approved.

**What should you do in each and every case?**

**Contact OGC/Ethics BEFORE attending.** Send an email to [ethics@epa.gov](mailto:ethics@epa.gov) and provide us with a copy of the invitation and as much information as you can regarding the event.

Thanks for your attention to ethics issues!

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

Message

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**From:** Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]  
**Sent:** 1/5/2018 6:47:59 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** RE: Invitation to Speak At NPMA Legislative Day March 19, 2018

Thank you for taking a look!

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**From:** Fugh, Justina  
**Sent:** Thursday, January 4, 2018 3:13 PM  
**To:** Bennett, Tate <Bennett.Tate@epa.gov>  
**Subject:** RE: Invitation to Speak At NPMA Legislative Day March 19, 2018

Hi Tate,

You will be going in your official capacity, representing EPA. Because you are speaking at the event, you may accept any items, including a meal, that is offered to all participants who attend the event. You may ask EPA to pay for your local travel expenses associated with going to and from this event, too.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** Bennett, Tate  
**Sent:** Wednesday, January 03, 2018 11:26 AM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** FW: Invitation to Speak At NPMA Legislative Day March 19, 2018

Hi Justina! Happy New Year!

I wanted to see if you had any concerns on the ethics-side if I were to sit on a panel at this conference. It is not compensated and I do not believe there will be a meal or gifts in exchange for sitting on the panel. Thanks in advance for any guidance you might be able to provide.

Tate

Elizabeth Tate Bennett  
Associate Administrator for Public Engagement & Environmental Education  
Office of the Administrator  
U.S. Environmental Protection Agency  
(202) 564-1460  
[Bennett.Tate@epa.gov](mailto:Bennett.Tate@epa.gov)

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**From:** Jim Fredericks [mailto:jfredericks@pestworld.org]  
**Sent:** Wednesday, January 3, 2018 10:04 AM  
**To:** Bennett, Tate <Bennett.Tate@epa.gov>  
**Subject:** Invitation to Speak At NPMA Legislative Day March 19, 2018

Dear Tate,

Thanks again for taking the time to meet with the NPMA team and our members in December. I hope you enjoyed the holiday season.

As we mentioned during our meeting, the National Pest Management Association is holding its annual Legislative Day Meeting on March 19, 2018. This conference typically draws about 400 owners and executives from pest management firms nationwide and will be held at the Capital Hilton, in Washington DC. It is designed to provide an opportunity for our members to meet directly with members of congress to speak about issues which concern their businesses. One of the topics that we are interested in learning more about is how Federal regulatory reform efforts will impact the structural pest management industry.

I am writing to invite you to participate in a panel discussion on March 19<sup>th</sup> from 9:15-10:15 AM, titled:

***The Impact of Pesticide Regulatory Reform on Structural Pest Management Industry***

*In March 2017, EPA Administrator Pruitt issued a memorandum establishing the EPA Regulatory Reform Task Force in response to President Trump's Executive Order 13771: Enforcing the Regulatory Reform Agenda, which is designed to reduce the regulatory burdens agencies place on the American people. Since then, EPA has held public meetings and invited written and verbal comment from stakeholders who are directly impacted.*

*Concurrently, NPMA has begun working on its Pesticide Regulatory Reform Agenda focusing on overcoming challenges that directly impact the pest management industry. In this session, learn what EPA and Industry are doing to work together to find solutions.*

We are also inviting Ray Starling, and Rick Keigwin. Thanks and I look forward to hearing from you at your earliest convenience,

-Jim

**Jim Fredericks, Ph.D.**

Vice President, Technical and Regulatory Affairs, National Pest Management Association  
Executive Director, Pest Management Foundation  
10460 North Street Fairfax, VA 22030  
(703) 352-6762 Main Office  
(800) 678-6722 Toll Free

**UPCOMING EVENTS**

Eastern Regional Conference | January 17-19 | Mashantucket, CT

Wildlife Expo | January 30-February 1 | New Orleans, LA

Southern Regional Conference | February 5-7 | Memphis, TN

Message

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**From:** Harlow, David [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B5A9A34E31FC4FE6B2BEADDDA2AFFA44-HARLOW, DAV]  
**Sent:** 10/27/2017 4:18:29 PM  
**To:** Griffo, Shannon [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6c901eb2c3ba4556a4a581b8816d5a9a-Vallance, Shannon]  
**CC:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]; Ross, Margaret [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=38caf91847dd4f95810c1f96d918871c-Ross, Margaret]  
**Subject:** RE: NSR Meeting Request

Thank you! This is very helpful. I appreciate your providing the clear explanation, since it should be able to apply it to such situation that may arise in the future. I thank you as well for getting back to me so quickly.

**David S. Harlow**  
**Senior Counsel**  
**Immediate Office of the Acting Assistant Administrator**  
**Office of Air and Radiation, USEPA**  
**WJC-N Room 5409K**  
**1200 Pennsylvania Avenue NW**  
**Washington, DC 20460**  
**202-564-1233**  
[Harlow.David@epa.gov](mailto:Harlow.David@epa.gov)

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**From:** Griffo, Shannon  
**Sent:** Friday, October 27, 2017 10:56 AM  
**To:** Harlow, David <harlow.david@epa.gov>  
**Cc:** Fugh, Justina <Fugh.Justina@epa.gov>; Ross, Margaret <Ross.Margaret@epa.gov>  
**Subject:** RE: NSR Meeting Request

Hi David,

First, I just wanted to say how much we appreciate you reaching out to us with your ethics questions. We are always available and more than happy to provide you with guidance!

Now turning to your question about whether you can respond to the email below and meet with API about this proposed topic. The short answer is yes you can to both, so long as your former employer, Hunton & Williams, is not present at this meeting. And here's how we got to that conclusion –

As you'll recall from Paragraph 6 of EO 13770, for 2 years from the date of your appointment, you cannot participate in any specific party matter that is directly and substantially related to your former employer or former client. "Directly and substantially related to" means matters in which your former employer or former client is a party or represents a party. See EO 13770, Section 2(d).

If you did not personally provide services to API during the last two years prior to the date of your EPA appointment, then API is not a former client for purposes of the Trump Ethics Pledge. Instead, your former employer represents API as a current client in matters. The subject matter of the proposed meeting below appears to be about a particular matter

of general applicability. And it's a small group which I presume means only API representatives will be present (but this would need to be confirmed).

Paragraph 6 prohibits you from working on any specific party matter where your former employer represents a client. This means you could not meet with API about a specific case when your former employer is representing them. In its legal advisory DO-09-011, the Office of Government Ethics expands the definition of specific party matter "to include any meetings or other communication with a former employer relating to the performance of the appointee's official duties" (unless the communication applies to particular matter of general applicability and participation is open to all interested parties – meaning five or more parties). So to summarize, you cannot participate in any specific party matter/meeting or other communication with your former employer, where your former employer represents a client. But since this meeting is with a client of your former employer and about a particular matter of general applicability, you may attend, so long as Hunton & Williams is not present.

Let us know if you have any questions. And thank you for the update on your OGE-278. Again, we really appreciate that you are mindful of all of your ethics obligations and filing deadlines!

Have a good weekend,  
Shannon

Shannon Griffo  
Ethics Attorney  
Office of General Counsel, Ethics  
U.S. Environmental Protection Agency  
(202) 564-7061  
[Griffo.Shannon@epa.gov](mailto:Griffo.Shannon@epa.gov)

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**From:** Harlow, David  
**Sent:** Friday, October 27, 2017 7:34 AM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>; Griffo, Shannon <[Griffo.Shannon@epa.gov](mailto:Griffo.Shannon@epa.gov)>; Ross, Margaret <[Ross.Margaret@epa.gov](mailto:Ross.Margaret@epa.gov)>  
**Subject:** FW: NSR Meeting Request

Ladies,

As a newcomer, I've been told that the Ethics Office is available to provide guidance on case-specific matters, and, lo and behold, I find myself in need of some such guidance already.

I received yesterday afternoon the email that you will see below. I have not yet responded. At issue here, as I view it, is that the American Petroleum Institute, whom Ms. Moffett represents, is a current client of my former employer (*i.e.*, the law firm Hunton & Williams). While at Hunton, I did a (very) little work for API in past years, although none at all in the 2015-2017 timeframe.

Before I even acknowledge receipt of Ms. Moffett's message – which I would eventually like to do, in any event, so as not to appear rude – I would appreciate your thoughts on whether the sort of meeting she is proposing would cause me to run afoul of the commitments I have made in signing the EO 13,770 ethics pledge. What say you? I can, of course, provide more information (*e.g.*, as to the

nature of the issues she is proposing we discuss) should you require it in order to make a judgment.

[Also, on a non-related matter and just fyi, I am looking to finish up and submit the form OGE-278 this weekend (the due date for me is November 2). I am at this point cautiously optimistic that I have filled it out correctly.]

Thank you!

**David S. Harlow**  
**Senior Counsel**  
**Immediate Office of the Acting Assistant Administrator**  
**Office of Air and Radiation, USEPA**  
**WJC-N Room 5409K**  
**1200 Pennsylvania Avenue NW**  
**Washington, DC 20460**  
**202-564-1233**  
[Harlow.David@epa.gov](mailto:Harlow.David@epa.gov)

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**From:** Hilary Moffett [<mailto:moffetth@api.org>]  
**Sent:** Thursday, October 26, 2017 12:43 PM  
**To:** Harlow, David <[harlow.david@epa.gov](mailto:harlow.david@epa.gov)>  
**Subject:** NSR Meeting Request

Hi David,

I hope this email finds you well and settling into the new role. I wanted to reach out because API is very active in the NSR space, and we've been working hard on a list of meaningful reform priorities that could ease some of the current permitted requirements. We'd like to come in and chat in the next couple of weeks about this issue and offer our list of reform potential. Do you have time in the coming weeks for a small group to come in and chat?

Thanks,  
Hilary

Hilary Moffett  
Director, Federal Relations  
American Petroleum Institute  
202-682-8040 (desk)  

Ex. 6 - Personal Privacy

 (cell)  
[MoffettH@api.org](mailto:MoffettH@api.org)

Message

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**From:** Melodie DeMulling [demulling@eli.org]  
**Sent:** 8/29/2018 7:27:28 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** RE: Bill Wehrum

Argh. Thanks for letting me know. Luckily he is very popular at ELI so I will have no trouble finding him a seat.

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**From:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Sent:** Wednesday, August 29, 2018 2:47 PM  
**To:** Melodie DeMulling <demulling@eli.org>  
**Subject:** Bill Wehrum

Hi Melodie,

I just heard that Latham and Watkins invited Bill Wehrum to sit at their table. I have advised Bill that he is not permitted by ethics rules to sit at their table at their invitation. Instead, he may accept the invitation from ELI, but that ELI will place him (not at the request of any particular donor). This is my pitch that you do not seat him at the L&W table, given the fact that they specifically invited him already.

Justina

Justina Fugh | Director, Ethics Law Office | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772



Message

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**From:** Keith, Jennie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=79C2D25E4DFE45CEAF788A87F714CC0F-JKEITH]  
**Sent:** 12/13/2017 7:32:34 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** RE: Request to attend event on 12/14

Oh, okay! Since you emailed the group, I intuited that you wanted one of us to seek the value of the gift since you were out on travel. I bcc'd everyone in the group so that there is a model email we can use when we need to ascertain the value of an event!

Jennie for OGC/Ethics

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**From:** Fugh, Justina  
**Sent:** Wednesday, December 13, 2017 11:50 AM  
**To:** Keith, Jennie <Keith.Jennie@epa.gov>  
**Subject:** RE: Request to attend event on 12/14

Thanks! I wrote last night, too, but your message was way better!

---

**From:** Keith, Jennie  
**Sent:** Wednesday, December 13, 2017 10:07 AM  
**To:** Bolen, Brittany <bolen.brittany@epa.gov>; Fugh, Justina <Fugh.Justina@epa.gov>  
**Cc:** Duross, Jeanne <Duross.Jeanne@epa.gov>; Griffo, Shannon <Griffo.Shannon@epa.gov>  
**Subject:** RE: Request to attend event on 12/14

Morning Brittany,

I will reach out to NAM today and hope to have a figure to you soon.

Thanks!  
Jennie for OGC/Ethics

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**From:** Bolen, Brittany  
**Sent:** Tuesday, December 12, 2017 7:12 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Cc:** Keith, Jennie <Keith.Jennie@epa.gov>; Duross, Jeanne <Duross.Jeanne@epa.gov>; Griffo, Shannon <Griffo.Shannon@epa.gov>  
**Subject:** Re: Request to attend event on 12/14

Justina,  
The invitation I copied below was emailed to me by [Jay.W.Timmons@nam.org](mailto:Jay.W.Timmons@nam.org). There was not a phone number included. I can certainly provide contact information for another representative of NAM. Please let me know if additional points of contact would help answer your question.

Thanks,  
Brittany

On Dec 12, 2017, at 6:59 PM, Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)> wrote:

Brittany,

Do you have any contact information? We can't ascertain the per person price unless we talk to the NAM, which is a federally registered lobbyist. And if we can't find someone to answer our question, then you can't be ethically permitted to go.

Justina

Sent from my iPhone

On Dec 12, 2017, at 1:36 PM, Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)> wrote:

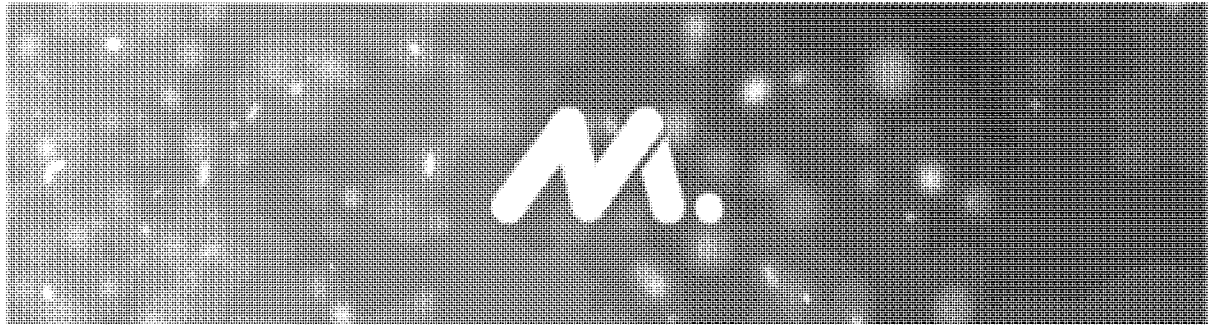
Hi Justina –

Per your guidance below, I am requesting approval to attend a holiday event being hosted by the National Association of Manufacturers this Thursday, December 14. A copy of the invitation I received is pasted below. Please advise me on next steps, including the amount I will personally need to pay to attend this event in accordance with my ethics requirements.

Thank you,

Brittany

Can't  
see the  
images?  
[View it  
online.](#)



Jay Timmons and the National  
Association of Manufacturers invite  
you to the official holiday celebration  
for manufacturers in America. Join us  
to toast the people who are creating  
the future.

**DECEMBER 14**  
**5:00 - 8:00 P.M.**

NAM HEADQUARTERS  
733 10TH STREET NW,  
SUITE 700  
WASHINGTON, DC 20001



**Please RSVP by December 4**

This event has been designed to meet the "reception exception" as stated by the Senate Select Ethics and House Ethics Committees. Invitation is non-transferable.

**CREATORS**  
**WANTED**

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**From:** Fugh, Justina

**Sent:** Friday, December 1, 2017 4:02 PM

**To:** Bennett, Tate <[Bennett.Tate@epa.gov](mailto:Bennett.Tate@epa.gov)>; Bolen, Derrick <[bolen.derrick@epa.gov](mailto:bolen.derrick@epa.gov)>; Burke, Marcella <[burke.marcella@epa.gov](mailto:burke.marcella@epa.gov)>; Cory, Preston (Katherine) <[Cory.Preston@epa.gov](mailto:Cory.Preston@epa.gov)>; Darwin, Henry <[darwin.henry@epa.gov](mailto:darwin.henry@epa.gov)>; Falvo, Nicholas <[falvo.nicholas@epa.gov](mailto:falvo.nicholas@epa.gov)>; Ford, Hayley <[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)>; Greenwalt, Sarah <[greenwalt.sarah@epa.gov](mailto:greenwalt.sarah@epa.gov)>; Hupp, Millan <[hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)>; Konkus, John <[konkus.john@epa.gov](mailto:konkus.john@epa.gov)>; Lovell, Will (William) <[lovell.william@epa.gov](mailto:lovell.william@epa.gov)>; McMurray,

Forrest <mcmurray.forrest@epa.gov>; Munoz, Charles <munoz.charles@epa.gov>; Palich, Christian <palich.christian@epa.gov>; Ringel, Aaron <ringel.aaron@epa.gov>; Rodrick, Christian <rodrick.christian@epa.gov>; Sands, Jeffrey <sands.jeffrey@epa.gov>; Schwab, Justin <Schwab.Justin@epa.gov>; Shimmin, Kaitlyn <shimmin.kaitlyn@epa.gov>; Stepp, Cathy <stepp.cathy@epa.gov>; Baptist, Erik <baptist.erik@epa.gov>; Benevento, Douglas <benevento.douglas@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Chmielewski, Kevin <chmielewski.kevin@epa.gov>; Darwin, Henry <darwin.henry@epa.gov>; Dravis, Samantha <dravis.samantha@epa.gov>; Forsgren, Lee <Forsgren.Lee@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>; Glenn, Trey <Glenn.Trey@epa.gov>; Greaves, Holly <greaves.holly@epa.gov>; Gulliford, Jim <gulliford.jim@epa.gov>; Harlow, David <harlow.david@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>; Lopez, Peter <lopez.peter@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>; Servidio, Cosmo <Servidio.Cosmo@epa.gov>; Traylor, Patrick <traylor.patrick@epa.gov>; Wagner, Kenneth <wagner.kenneth@epa.gov>; Yamada, Richard (Yujiro) <yamada.richard@epa.gov>; Wehrum, Bill <Wehrum.Bill@epa.gov>; Bodine, Susan <bodine.susan@epa.gov>; Dourson, Michael <dourson.michael@epa.gov>  
**Cc:** ethics <ethics@epa.gov>; Minoli, Kevin <Minoli.Kevin@epa.gov>  
**Subject:** Dear OGC/Ethics -- May I Attend This Holiday Party?

## Reminder for Political Appointees

### Don't Assume You Can Accept Invitations To Seasonal Celebrations and Other Receptions

— **Always Ask!**

Dear EPA political appointees –

I'm writing to remind you about your obligations under the Trump Ethics Pledge that you signed. We know it's that festive time of year when you may be invited to go to holiday receptions and parties, so the EPA ethics elves are sending you this reminder to be careful.

#### **What's a gift?**

In your initial ethics briefing, you learned about the gift rules in the Standards of Conduct and the additional restrictions imposed upon you by the Trump Ethics Pledge that you signed when you joined EPA. As a federal employee, you cannot accept a gift that is offered to you because of your official position or from a prohibited source. "Gift" is defined to include gratuities, favors, discounts, entertainment, hospitality and other items having monetary value. The definition is very broad, and it encompasses free attendance at the kinds of dinners, receptions and other networking events that are common in D.C., particularly during the holiday season.

#### **What's the rule?**

You are prohibited from accepting any gift (including invitations to holiday parties) from a federally registered lobbyist. Even if the invitation says that it's a "widely attended gathering" or that it meets the Congressional ethics rules, don't assume you can go. You're an EPA political appointee, so you must get written approval from OGC/Ethics before you go to the event. When you send the invitation to OGC/Ethics,

the first thing we will do is determine whether the sponsor of the event is a federally registered lobbyist.

- **Event is sponsored by a federally registered lobbyist**

In this case, the Lobbyist Gift Ban applies. When you signed the pledge, you promised not to accept gifts from federally registered lobbyists. The common exception for a “widely attended gathering” (WAG) does not apply to invitations from and events sponsored by federally registered lobbyists. **YOU CAN NEVER ACCEPT THE GIFT OF FREE ATTENDANCE TO A WAG FROM A FEDERALLY REGISTERED LOBBYIST.**

If the event is sponsored by a federally registered lobbyist, but you really want to attend

...

then you will need to work closely with OGC/Ethics to pay personally out of your pocket. It’s not enough to say that you’ll pay for your drinks and won’t eat. The rule is that you can’t even go to the event unless you pay personally for the cost per person. So, upon request, OGC/Ethics will contact the sponsor to determine the cost per person that will have to pay, and to whom. We want to help you document your payment so that you can show you have not violated the Trump Ethics Pledge.

- **Event is not sponsored by a federally registered lobbyist**

In this case, OGC/Ethics will determine if the “Widely Attended Gathering” (WAG) exception applies to permit your attendance. The WAG exception allows ethics officials to approve an employee’s acceptance of free attendance upon a written determination that your attendance furthers an agency interest. In order for OGC/Ethics to clear your attendance, there must be a large number of people attending the event as well as a diversity of views or interests among those attending. If the offer to attend is from the sponsor of the event, there is no limit on the value of the event. If the offer of free attendance comes from someone other than the sponsor, then the value of the gift (your attendance and your spouse’s, if applicable) cannot exceed \$390. Should your ethics official determines that you may accept the gift and attend, you will do so in your personal capacity and not on government time. And you may have to disclose the gift on your OGE-278, depending on its value. OGC/Ethics will let you know whether you have to report the gift when we notify you that it has been approved.

**What should you do in each and every case?**

**Contact OGC/Ethics BEFORE attending.** Send an email to [ethics@epa.gov](mailto:ethics@epa.gov) and provide us with a copy of the invitation and as much information as you can regarding the event.

Thanks for your attention to ethics issues!  
Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772



Message

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**From:** Davis, Gail [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3778A7CC1FA4F078F7C4B447C63E7C8-GDAVIS04]  
**Sent:** 8/14/2017 7:22:11 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]; Ferguson, Lincoln [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=08cd7f82606244de96b61b96681c46de-Ferguson, L]  
**Subject:** RE: Status of Your Ethics Travel Form Approval Request

I gave it to Aaron Dickerson to scan in with your receipts for your trip.

---

**From:** Fugh, Justina  
**Sent:** Monday, August 14, 2017 3:12 PM  
**To:** Ferguson, Lincoln <ferguson.lincoln@epa.gov>  
**Cc:** Davis, Gail <Davis.Gail@epa.gov>  
**Subject:** Re: Status of Your Ethics Travel Form Approval Request

You can ask Gail to print it out for you, or you can wait another day. Am at the airport now and ready to board so can't get this to you until tomorrow at the earliest.

Sent from my iPhone

On Aug 14, 2017, at 3:10 PM, Ferguson, Lincoln <[ferguson.lincoln@epa.gov](mailto:ferguson.lincoln@epa.gov)> wrote:

Justina –

I am unable to view the document attached. Can you resend as a PDF or let me know another way I can view it?

---

**From:** Justina Fugh [<mailto:Fugh.Justina@epamail.epa.gov>]  
**Sent:** Wednesday, August 9, 2017 6:16 PM  
**To:** Lincoln Ferguson <[Ferguson.Lincoln@epamail.epa.gov](mailto:Ferguson.Lincoln@epamail.epa.gov)>  
**Subject:** Status of Your Ethics Travel Form Approval Request

Justina Fugh, the authorized approving official, has approved your form 2610-3 (Approval to Accept Travel under Ethics Reform Act of 1989).

Please click the link below to view or print your approved form. The print button is in the grey area at the top of the form.

This e-mail notification points to a link that contains your approved form. The notification itself is not evidence of OGC's approval. You must use the actual approved form where evidence of approval is needed.

<image001.gif>

Message

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**From:** Ferguson, Lincoln [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=08CD7F82606244DE96B61B96681C46DE-FERGUSON, L]  
**Sent:** 8/14/2017 7:09:59 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** RE: Status of Your Ethics Travel Form Approval Request

Justina –

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---

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**Sent:** Wednesday, August 9, 2017 6:16 PM  
**To:** Lincoln Ferguson <Ferguson.Lincoln@epamail.epa.gov>  
**Subject:** Status of Your Ethics Travel Form Approval Request

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Message

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**From:** Darwin, Henry [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7AE8E9D24EEB4132B25982E358EFBD9D-DARWIN, HEN]  
**Sent:** 9/15/2017 7:44:42 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]; Mackey, Cyndy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b2f2b414786040ee8d75a21fa1c04a9b-Mackey, Cyndy]  
**Subject:** RE: Ethics advice concerning your invitation to the ELI dinner

Thank you Justina. I do plan to attend and will follow your guidance.

Henry

---

**From:** Fugh, Justina  
**Sent:** Thursday, September 14, 2017 12:55 PM  
**To:** Darwin, Henry <darwin.henry@epa.gov>; Mackey, Cyndy <Mackey.Cyndy@epa.gov>  
**Subject:** Ethics advice concerning your invitation to the ELI dinner

Hi there,

OGC/Ethics understands that you have received or will soon receive an invitation from the Environmental Law Institute (ELI) to be its guest at its annual awards dinner to be held this year on October 18, 2017 at the Omni Shoreham Hotel. I am writing to confirm that, if you decide to attend this event, you may do so consistent with the Standards of Ethical Conduct for Employees of the Executive Branch and, if you are a political appointee, consistent with the Trump Ethics Pledge.

This event qualifies for the Widely-Attended-Gathering gift exception, and as such, OGC/Ethics determines that your attendance at the event is in the Agency's interest because it will further agency programs and operations. Should you attend this event, you will NOT be required to report this as a gift on your financial disclosure report form (if you file one) because the gift is valued at \$200, which is BELOW the reporting threshold.

Also, this approval applies only to invitations from ELI itself. Any invitations from other sources will require separate determinations by either OGC or the appropriate Deputy Ethics Official. This determination covers you only -- the invitation is not transferable nor does it include a guest (and you can't solicit ELI to ask that a guest join you).

Acceptance of Free Attendance to a Dinner and Fundraiser (WAG rule)

The gift offered is an evening reception and dinner sponsored by ELI. Because the organization is offering you a complimentary ticket, we must analyze it according to the gift rules. Generally, federal employees are prohibited from accepting gifts given because of their official position or given by a prohibited source (typically, a person either regulated by or seeking to do business with the EPA). In this instance, the gift of free attendance is offered to you because of your official position. In analyzing the situation, we determined that the WAG exception is available because the reception will be widely attended, there will be a diversity of views represented, and there is an opportunity for the exchange of ideas. In order to utilize this gift exception, OGC/Ethics must also make a written determination that we believe your attendance is in the Agency's interest. We do, in fact, conclude that there is an Agency interest in your attendance if you wish to go.

Limitations Due to the Fundraiser Event

Please note that this event is a fundraiser. Therefore, ELI cannot use or reference your official position or title or any authority associated with your public office in furtherance of the fundraising effort. You may not actively or visibly participate in the promotion, production, or presentation of the event, which means that you cannot sit at a head table nor stand in a receiving line. We have confirmed with ELI that you will be placed by ELI and not seated at the request of any sponsoring entity that has bought a table.

Please let me know if you have any questions.

Regards,

justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

Message

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**From:** Lyons, Troy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=15E4881C95044AB49C6C35A0F5EEF67E-LYONS, TROY]  
**Sent:** 9/26/2017 3:42:22 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** RE: Environmental Law Institute Award Dinner--10/18/2017

Thank you, Justina.

---

**From:** Fugh, Justina  
**Sent:** Tuesday, September 26, 2017 11:37 AM  
**To:** Lyons, Troy <lyons.troy@epa.gov>  
**Subject:** RE: Environmental Law Institute Award Dinner--10/18/2017

Hi Troy. Here's the advice:

OGC/Ethics understands that you have received or will soon receive an invitation from the Environmental Law Institute (ELI) to be its guest at its annual awards dinner to be held this year on October 18, 2017 at the Omni Shoreham Hotel. I am writing to confirm that, if you decide to attend this event, you may do so consistent with the Standards of Ethical Conduct for Employees of the Executive Branch and, for those who are political appointees, consistent with the Trump Ethics Pledge.

This event qualifies for the Widely-Attended-Gathering gift exception, and as such, OGC/Ethics determines that your attendance at the event is in the Agency's interest because it will further agency programs and operations. Should you attend this event, you will NOT be required to report this as a gift on your financial disclosure report form (if you file one) because the gift is valued at \$200, which is BELOW the reporting threshold.

Please note: this approval applies only to invitations from ELI itself. Any invitations from other sources will require separate determinations by either OGC or the appropriate Deputy Ethics Official. This determination covers you only -- the invitation is not transferable.

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sit at a head table nor stand in a receiving line. We have confirmed with ELI that you will be placed by ELI and not seated at the request of any sponsoring entity that has bought a table.

Please let me know if you have any questions.

Regards,

justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** Lyons, Troy

**Sent:** Tuesday, September 26, 2017 10:41 AM

**To:** Fugh, Justina <Fugh.Justina@epa.gov>

**Subject:** FW: Environmental Law Institute Award Dinner--10/18/2017

I vaguely recall your guidance as allowing this. Please advise if I am able to attend.

---

**From:** Jacqueline Lopez [mailto:lopez@eli.org]

**Sent:** Tuesday, September 26, 2017 10:13 AM

**To:** Lyons, Troy <lyons.troy@epa.gov>

**Cc:** Melodie DeMulling <demulling@eli.org>

**Subject:** Environmental Law Institute Award Dinner--10/18/2017

Dear Mr. Lyons,

We would like to follow up with you, and resend this non-transferable complimentary invitation to the Environmental Law Institute's 2017 Award Dinner honoring Achim Steiner, Administrator for the United Nations Development Programme. The Dinner will be held on **October 18, 2017** at the Omni Shoreham Hotel in Washington, D.C. Registration will begin at 5:00 p.m., with a pre-dinner reception beginning at 5:30, and dinner to follow at 7:15 p.m.

Attendance at ELI's Award Dinner has not been prohibited in the past by ethical guidance from United States government departments; however, please consult as appropriate within your State agency prior to accepting this invitation. Should ethics rules or conflict of interest policies require you to pay, you may send a check (payable to the Environmental Law Institute) to 1730 M Street, NW, Suite 700, Washington, D.C. 20036) in the amount of \$200 to cover the actual value of the discounted government/academic/nonprofit rate ticket.

We hope you'll be able to join us for Washington's premier annual event for environmental professionals from around the country. Please RSVP **as soon as possible** to me or with our Development Director, Melodie DeMulling, at [demulling@eli.org](mailto:demulling@eli.org) or 202-939-3808 regarding your availability to attend the Award Dinner.

Sincerely,

Jacqueline Lopez  
*Development Intern*  
Environmental Law Institute  
1730 M St., NW, Suite 700  
Washington, DC 20036  
[lopez@eli.org](mailto:lopez@eli.org)

Message

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**From:** Griffo, Shannon [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6C901EB2C3BA4556A4A581B8816D5A9A-VALLANCE, SHANNON]  
**Sent:** 10/27/2017 12:58:52 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** FW: NSR Meeting Request

Justina,

# Ex. 5 - Deliberative Process

Hopefully that makes some sort of sense.....we can talk by phone if that's easier.

Thanks,  
Shannon

Shannon Griffo  
Ethics Attorney  
Office of General Counsel, Ethics  
U.S. Environmental Protection Agency  
(202) 564-7061  
Griffo.Shannon@epa.gov

---

**From:** Harlow, David  
**Sent:** Friday, October 27, 2017 7:34 AM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>; Griffo, Shannon <Griffo.Shannon@epa.gov>; Ross, Margaret <Ross.Margaret@epa.gov>  
**Subject:** FW: NSR Meeting Request

Ladies,

As a newcomer, I've been told that the Ethics Office is available to provide guidance on case-specific matters, and, lo and behold, I find myself in need of some such guidance already.

I received yesterday afternoon the email that you will see below. I have not yet responded. At issue here, as I view it, is that the American Petroleum Institute, whom Ms. Moffett represents, is a current client of my former employer (*i.e.*, the law firm Hunton & Williams). While at Hunton, I did a (very) little work for API in past years, although none at all in the 2015-2017 timeframe.

Before I even acknowledge receipt of Ms. Moffett's message – which I would eventually like to do, in any event, so as not to appear rude – I would appreciate your thoughts on whether the sort of meeting she is proposing would cause me to run afoul of the commitments I have made in signing the EO 13,770 ethics pledge. What say you? I can, of course, provide more information (*e.g.*, as to the nature of the issues she is proposing we discuss) should you require it in order to make a judgment.

[Also, on a non-related matter and just fyi, I am looking to finish up and submit the form OGE-278 this weekend (the due date for me is November 2). I am at this point cautiously optimistic that I have filled it out correctly.]

Thank you!

**David S. Harlow**  
**Senior Counsel**  
**Immediate Office of the Acting Assistant Administrator**  
**Office of Air and Radiation, USEPA**  
**WJC-N Room 5409K**  
**1200 Pennsylvania Avenue NW**  
**Washington, DC 20460**  
**202-564-1233**  
[Harlow.David@epa.gov](mailto:Harlow.David@epa.gov)

---

**From:** Hilary Moffett [<mailto:moffetth@api.org>]  
**Sent:** Thursday, October 26, 2017 12:43 PM  
**To:** Harlow, David <[harlow.david@epa.gov](mailto:harlow.david@epa.gov)>  
**Subject:** NSR Meeting Request

Hi David,

I hope this email finds you well and settling into the new role. I wanted to reach out because API is very active in the NSR space, and we've been working hard on a list of meaningful reform priorities that could ease some of the current permitted requirements. We'd like to come in and chat in the next couple of weeks about this issue and offer our list of reform potential. Do you have time in the coming weeks for a small group to come in and chat?

Thanks,  
Hilary

Hilary Moffett  
Director, Federal Relations  
American Petroleum Institute

202-682-8040 (desk)

Ex. 6 - Personal Privacy (cell)

MoffettH@api.org



Message

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**From:** Melodie DeMulling [demulling@eli.org]  
**Sent:** 9/25/2017 2:57:00 PM  
**To:** Dourson, Michael (doursoml) [doursoml@ucmail.uc.edu]; Jacqueline Lopez [lopez@eli.org]  
**CC:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** RE: Environmental Law Institute Award Dinner--10/18/2017

Dear Mr. Dourson: Yes, all of that is correct. We are glad you will be attending.  
Thanks, Melodie

Melodie DeMulling  
Development Director  
Environmental Law Institute  
1750 M Street NW, Suite 700  
Washington, DC 20036  
202-939-3808



---

**From:** Dourson, Michael (doursoml) [mailto:doursoml@ucmail.uc.edu]  
**Sent:** Monday, September 25, 2017 9:51 AM  
**To:** Jacqueline Lopez  
**Cc:** Melodie DeMulling; Fugh, Justina  
**Subject:** Re: Environmental Law Institute Award Dinner--10/18/2017

Dear Ms. Lopez

I accept your kind invitation and look forward to this event. Please note that since this event is a fundraiser, ELI cannot use or reference my position or title or any authority associated with my public office in furtherance of the fundraising effort. For example, I will not be able to actively or visibly participate in the promotion, production, or presentation of the event, which means that I cannot sit at a head table nor stand in a receiving line. I believe that Counselor Fugh of EPA has confirmed that I will be seated by ELI and not at the request of any sponsoring entity that has bought a table.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Dourson", with a stylized flourish at the end.

Michael L. Dourson, Ph.D., DABT, FATS, FSRA  
Professor  
Risk Science Center  
Department of Environmental Health  
University of Cincinnati, College of Medicine  
160 Panzeca Way  
Cincinnati OH 45267-0056

michael.dourson@uc.edu

**Ex. 6 - Personal Privacy**

<http://eh.uc.edu/tera/>



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**From:** Jacqueline Lopez <[lopez@eli.org](mailto:lopez@eli.org)>  
**Date:** Thursday, September 7, 2017 at 4:37 PM  
**To:** Michael Dourson <[doursoml@ucmail.uc.edu](mailto:doursoml@ucmail.uc.edu)>  
**Cc:** Melodie DeMulling <[demulling@eli.org](mailto:demulling@eli.org)>  
**Subject:** Environmental Law Institute Award Dinner--10/18/2017

Dear Mr. Dourson,

This is a non-transferable complimentary invitation to the Environmental Law Institute's 2017 Award Dinner honoring Achim Steiner, Administrator for the United Nations Development Programme. The Dinner will be held on **October 18, 2017** at the Omni Shoreham Hotel in Washington, D.C. Registration will begin at 5:00 p.m., with a pre-dinner reception beginning at 5:30, and dinner to follow at 7:15 p.m.

Attendance at ELI's Award Dinner has not been prohibited in the past by ethical guidance from United States government departments; however, please consult as appropriate within your State agency prior to accepting this invitation. Should ethics rules or conflict of interest policies require you to pay, you may send a check (payable to the Environmental Law Institute) to 1730 M Street, NW, Suite 700, Washington, D.C. 20036) in the amount of \$200 to cover the actual value of the discounted government/academic/nonprofit rate ticket.

We hope you'll be able to join us for Washington's premier annual event for environmental professionals from around the country. Please RSVP as soon as possible to me or with our Development Director, Melodie DeMulling, at [demulling@eli.org](mailto:demulling@eli.org) or 202-939-3808 regarding your availability to attend the Award Dinner.

Sincerely,

Jacqueline Lopez  
*Development Intern*  
Environmental Law Institute  
1730 M St., NW, Suite 700  
Washington, DC 20036  
[lopez@eli.org](mailto:lopez@eli.org)

Message

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**From:** Keith, Jennie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=79C2D25E4DFE45CEAF788A87F714CC0F-JKEITH]  
**Sent:** 10/6/2017 4:25:49 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** RE: Ethics Review: Louisiana Chemical Association & Chemical Industry Alliance

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**From:** Fugh, Justina  
**Sent:** Thursday, October 05, 2017 1:41 PM  
**To:** Ford, Hayley <ford.hayley@epa.gov>; Keith, Jennie <Keith.Jennie@epa.gov>  
**Cc:** Hupp, Millan <hupp.millan@epa.gov>; Davis, Gail <Davis.Gail@epa.gov>  
**Subject:** RE: Ethics Review: Louisiana Chemical Association & Chemical Industry Alliance

Yes, OGC/ethics will be able to approve this gift of lodging. Gail needs to do the ethics travel form, though.

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** Ford, Hayley  
**Sent:** Thursday, October 05, 2017 12:32 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>; Keith, Jennie <Keith.Jennie@epa.gov>  
**Cc:** Hupp, Millan <hupp.millan@epa.gov>  
**Subject:** Ethics Review: Louisiana Chemical Association & Chemical Industry Alliance

Justina and Jennie,

Can you please review the attached speaking request? Additionally, they have offered a room at the hotel for Thursday night set aside for speakers. Can you let us know if we're allowed to accept?

Thank you!

***Hayley Ford***  
Deputy White House Liaison  
Office of the Administrator  
Environmental Protection Agency  
Room: 3309C William Jefferson Clinton North  
[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)  
Phone: 202-564-2022  
Cell: 202-306-1296

Message

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**From:** Keith, Jennie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=79C2D25E4DFE45CEAF788A87F714CC0F-JKEITH]  
**Sent:** 10/6/2017 4:25:46 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** RE: Ethics Review: Louisiana Chemical Association & Chemical Industry Alliance

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**From:** Fugh, Justina  
**Sent:** Thursday, October 05, 2017 1:41 PM  
**To:** Ford, Hayley <ford.hayley@epa.gov>; Keith, Jennie <Keith.Jennie@epa.gov>  
**Cc:** Hupp, Millan <hupp.millan@epa.gov>; Davis, Gail <Davis.Gail@epa.gov>  
**Subject:** RE: Ethics Review: Louisiana Chemical Association & Chemical Industry Alliance

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**From:** Ford, Hayley  
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**To:** Fugh, Justina <Fugh.Justina@epa.gov>; Keith, Jennie <Keith.Jennie@epa.gov>  
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***Hayley Ford***  
Deputy White House Liaison  
Office of the Administrator  
Environmental Protection Agency  
Room: 3309C William Jefferson Clinton North  
[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)  
Phone: 202-564-2022  
Cell: 202-306-1296

Message

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**From:** Keith, Jennie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=79C2D25E4DFE45CEAF788A87F714CC0F-JKEITH]  
**Sent:** 10/6/2017 4:25:38 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** RE: Ethics Review: Louisiana Chemical Association & Chemical Industry Alliance

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**Sent:** Thursday, October 05, 2017 1:41 PM  
**To:** Ford, Hayley <ford.hayley@epa.gov>; Keith, Jennie <Keith.Jennie@epa.gov>  
**Cc:** Hupp, Millan <hupp.millan@epa.gov>; Davis, Gail <Davis.Gail@epa.gov>  
**Subject:** RE: Ethics Review: Louisiana Chemical Association & Chemical Industry Alliance

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**Sent:** Thursday, October 05, 2017 12:32 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>; Keith, Jennie <Keith.Jennie@epa.gov>  
**Cc:** Hupp, Millan <hupp.millan@epa.gov>  
**Subject:** Ethics Review: Louisiana Chemical Association & Chemical Industry Alliance

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***Hayley Ford***  
Deputy White House Liaison  
Office of the Administrator  
Environmental Protection Agency  
Room: 3309C William Jefferson Clinton North  
[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)  
Phone: 202-564-2022  
Cell: 202-306-1296

Message

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**From:** Patrick, Monique [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=3F271920363C4AECBFF1E989A6DFDE9B-MPATRICK]  
**Sent:** 10/26/2017 7:36:35 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**CC:** ethics [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d77d8564b916474a9312ec6c9c4dca55-ethics]  
**Subject:** RE: Invitation for Mr. Schwab to Speak at Nuclear Energy Institute Legal Advisory Committee NOVEMBER 14th at 1:45 pm

Thank you Ma'am for that clarification! I will keep this in my folder to refer back to if I ever have this question again.

---

**From:** Fugh, Justina  
**Sent:** Thursday, October 26, 2017 3:33 PM  
**To:** Patrick, Monique <Patrick.Monique@epa.gov>  
**Cc:** ethics <ethics@epa.gov>  
**Subject:** RE: Invitation for Mr. Schwab to Speak at Nuclear Energy Institute Legal Advisory Committee NOVEMBER 14th at 1:45 pm

Hi Monique,

We use the ethics travel form only if the person will be in travel status. As this event takes place in DC, Justin won't be in travel status at all. Since he is speaking, he can attend for the entire one-day event (not just the short time that he's speaking) and also accept the breakfast and lunch if he wants, pursuant to 5 CFR 2635.203(b)(8)(i).

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

---

**From:** Patrick, Monique  
**Sent:** Thursday, October 26, 2017 2:00 PM  
**To:** OGC Ethics <OGC\_Ethics@epa.gov>  
**Subject:** FW: Invitation for Mr. Schwab to Speak at Nuclear Energy Institute Legal Advisory Committee NOVEMBER 14th at 1:45 pm

Hello

Will I have to complete an ethics form for Justin?

---

**From:** COTTINGHAM, Anne [<mailto:awc@nei.org>]  
**Sent:** Thursday, October 26, 2017 1:54 PM  
**To:** Schwab, Justin <[Schwab.Justin@epa.gov](mailto:Schwab.Justin@epa.gov)>  
**Cc:** Patrick, Monique <[Patrick.Monique@epa.gov](mailto:Patrick.Monique@epa.gov)>; GINSBERG, Ellen <[ecg@nei.org](mailto:ecg@nei.org)>; MONTERRAT, Gia <[gam@nei.org](mailto:gam@nei.org)>  
**Subject:** Invitation for Mr. Schwab to Speak at Nuclear Energy Institute Legal Advisory Committee NOVEMBER 14th at 1:45 pm

INVITATION FOR MR. SCHWAB TO SPEAK AT THE NOVEMBER 14, 2017 NEI LEGAL ADVISORY COMMITTEE MEETING

Dear Mr. Schwab:

On behalf of NEI's General Counsel Ellen Ginsberg and the entire Nuclear Energy Institute Legal division, thank you for agreeing to speak to the NEI Legal Advisory Committee (LAC) at the upcoming fall 2017 meeting on **Tuesday, November 14, 2017**. The meeting will be held at NEI's office at 1201 F Street, NW, Suite 1100, Washington, DC (across the street from the Metro Center metro station.)

The meeting is scheduled to run from 9 a.m. through approximately 4 p.m. A copy of the current draft agenda is attached for convenience.

NEI is the organization responsible for establishing unified policies on matters affecting the nuclear energy industry. NEI's members include all entities licensed to operate commercial nuclear power plants in the United States, nuclear plant designers, major architect/engineering firms, fuel cycle facilities, nuclear materials licensees, and other organizations and entities involved in the nuclear energy industry.

The Legal Advisory Committee is comprised of in-house counsel from member companies and attorneys from member law firms with a nuclear energy practice, thus representing a substantial part of the U.S. "nuclear bar." LAC meetings typically draw around 50 lawyers and often others who are interested in a particular topic. We like to cover an array of timely legal, regulatory, legislative, policy, and litigation issues, and we customarily invite an array of speakers from diverse backgrounds. In addition to hearing from NEI experts, we regularly feature NRC speakers (Commissioners, NRC General Counsel, NRC Solicitor, NRC Regional Administrators, directors of the Office of New Reactors, the Office of Nuclear Reactor Regulation, the Office of Enforcement, and the Office of Congressional Affairs). We also like to go further afield and hear from other Administration and federal agency officials whose policies affect the nuclear industry, *e.g.*, the DOE General Counsel, the Federal Aviation Administration OGC, the Council on Environmental Quality, the National Security Council, Congressional staff, and other federal and state officials. We are pleased that this upcoming meeting will feature leadership from the NRC, the DOE, and (with your presence on the agenda) the EPA.

**We have scheduled your presentation to run from 1:45 p.m. until 2:15 p.m.**

We would be interested in hearing your perspectives on whatever EPA topic(s) you care to address. As we discussed, a general overview of current EPA legal and regulatory priorities (in whatever level of detail you choose to provide) would be very useful. While NEI members are keenly interested in those federal policies that directly affect their companies, you need not limit yourself to those topics.

Before the meeting:

**Please send us a short bio, which will be used to introduce you.**

**Do let us know if you plan to use slides.** If so, we would appreciate having them before the meeting (preferably by noon on Monday, November 13) to add to the master slide deck.

We know you have many demands on your time and truly appreciate your acceptance of NEI's invitation.

Feel free to contact our division assistant Gia Montserrat ([giam@nei.org](mailto:giam@nei.org)) or me with any questions.

Cordially,

Anne Cottingham

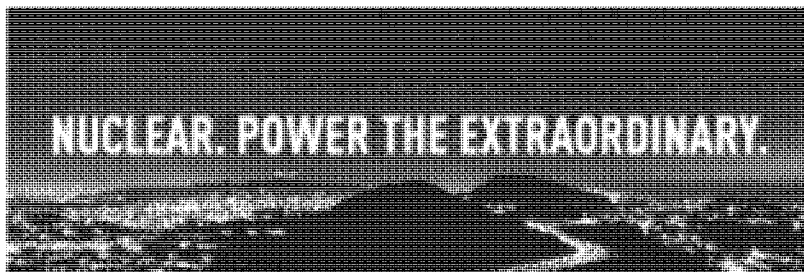


**ANNE W. COTTINGHAM** | *Associate General Counsel*  
1201 F Street, NW, Suite 1100 | Washington, DC 20004

P: 202-739-8139

M: Ex. 6 - Personal Privacy

E: [awc@neinet.org](mailto:awc@neinet.org)



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---

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Message

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**From:** Keith, Jennie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=79C2D25E4DFE45CEAF788A87F714CC0F-JKEITH]  
**Sent:** 5/12/2017 1:29:48 PM  
**To:** Dravis, Samantha [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ece53f0610054e669d9dffe0b3a842df-Dravis, Sam]  
**CC:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** RE: (ETHICS) Gift Determination (Samantha Dravis)

Correct! Thanks, Samatha.  
Jennie for OGC/Ethics  
202-564-3412

---

**From:** Dravis, Samantha  
**Sent:** Thursday, May 11, 2017 3:13 PM  
**To:** Keith, Jennie <Keith.Jennie@epa.gov>  
**Cc:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** RE: (ETHICS) Gift Determination (Samantha Dravis)

Ok thank you for the quick response Jennie. So to summarize – I may attend, and if I do attend I must report the gift in the amount of \$6,500.

Thank you again.

---

**From:** Keith, Jennie  
**Sent:** Thursday, May 11, 2017 3:09 PM  
**To:** Dravis, Samantha <dravis.samantha@epa.gov>  
**Cc:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** (ETHICS) Gift Determination (Samantha Dravis)

Dear Samantha,

OGC/Ethics advises that you **may accept** this invitation and attend the event. The reception qualifies for the WAG rule gift exception, and as such, OGC/Ethics determines that your attendance at the event is in the Agency's interest because it will further agency programs and operations. Should you attend, you will be required to report this as a gift on your next public financial disclosure form due in May 2018 (INTEGRITY). You may accept this invitation for yourself only. See the following for more complete details.

Best, Jennie for OGC/Ethics

**White House Ethics Pledge**

The White House Ethics Pledge does not allow political appointees to accept gifts from registered lobbyists. The persons extending the invitation are not registered lobbyists or lobbying organizations, therefore the Ethics Pledge is not implicated.

**Acceptance of Free Attendance to a Dinner (WAG rule)**

This gift offered is an evening reception and dinner hosted by the Burton Awards. Because the organization is offering you a complimentary ticket, we must analyze it according the gift rules. Generally, federal employees are prohibited from accepting gifts given because of their official position or given by a prohibited source – typically a person either regulated by or seeking to do business with the EPA. In this instance, this is a gift offered because of your official position. There are exceptions to this rule to allow employees to accept some gifts. In this instance the WAG rule is available because the reception will be widely attended, there will be a diversity of views represented, and an opportunity for the exchange of ideas. Finally, in order to utilize this gift exception, OGC/Ethics must also make a determination that it's in the Agency's interest for you to attend. I do conclude that there is an Agency interest should she choose to attend the event.

### **Financial Disclosure Implications**

An individual ticket to this event costs \$6,500. Therefore, if you accept this gift, you will have to report this on the annual public financial disclosure report due May 15, 2018 because the gift is greater than the reporting threshold of \$375.

---

**From:** Dravis, Samantha  
**Sent:** Thursday, May 11, 2017 1:03 PM  
**To:** Keith, Jennie <[Keith.Jennie@epa.gov](mailto:Keith.Jennie@epa.gov)>  
**Subject:** FW: 2017 Burton Awards

---

**From:** Emily Delaney [<mailto:edelaney@burtonawards.com>]  
**Sent:** Thursday, May 11, 2017 12:54 PM  
**To:** Dravis, Samantha <[dravis.samantha@epa.gov](mailto:dravis.samantha@epa.gov)>  
**Subject:** 2017 Burton Awards

Dear Ms. Dravis,

The Burton Awards would like to invite you to our event on May 22, 2017. We would be thrilled if you were able to attend and would like to reiterate that this is a complimentary ticket!

Kindest regards,

*Emily Delaney*  
Director of Outreach  
The Burton Awards  
245 Park Avenue  
New York, New York 10167  
(212)-672-1857

Message

---

**From:** Beck, Nancy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=168ECB5184AC44DE95A913297F353745-BECK, NANCY]  
**Sent:** 9/22/2017 2:56:47 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**CC:** Clark, Sharon [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6821d9dde270456caa67a7114e49f707-Clark, Sharon]  
**Subject:** RE: Status of Your Ethics Travel Form Approval Request

Thanks!

---

Nancy B. Beck, Ph.D., DABT  
Deputy Assistant Administrator, OCSPP  
P: 202-564-1273  
M: Ex. 6 - Personal Privacy  
[beck.nancy@epa.gov](mailto:beck.nancy@epa.gov)

---

**From:** Justina Fugh [mailto:Fugh.Justina@epamail.epa.gov]  
**Sent:** Friday, September 22, 2017 10:56 AM  
**To:** Nancy Beck <Beck.Nancy@epamail.epa.gov>  
**Cc:** Clark, Sharon <Clark.Sharon@epa.gov>  
**Subject:** Status of Your Ethics Travel Form Approval Request

Justina Fugh, the authorized approving official, has approved your form 2610-3 (Approval to Accept Travel under Ethics Reform Act of 1989).

Please click the link below to view or print your approved form. The print button is in the grey area at the top of the form.

This e-mail notification points to a link that contains your approved form. The notification itself is not evidence of OGC's approval. You must use the actual approved form where evidence of approval is needed.

Submitted forms are locked - you cannot make any changes to your form once submitted. If BEFORE your travel begins you find that your travel plans no longer match your submission, please contact the OGC Ethics Official and request to have your submission disapproved. This disapproval will unlock your form and allow you to edit and resubmit it for review. Please do not submit a duplicate corrected form as this will delay or stop the processing of your request.

If AFTER you finish your travel you find that your actual travel did not match your approved submission, please return to the form and click the Create Post-Travel Amendment button. An amendment section will appear pre-filled with existing information -- simply adjust this information as needed and submit. Only the actual traveler can prepare and submit an amendment.



Message

---

**From:** Miles, Erin [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6626066EC1B9434EA1D768020C4D56C3-MILES, ERIN]  
**Sent:** 7/31/2017 12:37:03 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** RE: Ethics travel form

Justina,

Heads up that this should be coming your way today. The trip is later this week. Sorry for the very last minute submission, but we found out about the trip late, and then both Larry and Patrick had Lotus issues.

Thanks,

Erin

---

**From:** Fugh, Justina  
**Sent:** Tuesday, July 25, 2017 3:35 PM  
**To:** Albergottie, Daniele <Albergottie.Daniele@epa.gov>  
**Cc:** Miles, Erin <Miles.Erin@epa.gov>  
**Subject:** RE: Ethics travel form

Well, I know he has an ID, but I don't know whether he has a password.

---

**From:** Albergottie, Daniele  
**Sent:** Tuesday, July 25, 2017 3:17 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Cc:** Miles, Erin <Miles.Erin@epa.gov>  
**Subject:** RE: Ethics travel form

Justina:

Thanks for letting me know Patrick actually has a Lotus Notes Password. This will help out immensely. I will speak with Patrick and see whether he remembers his Lotus notes Password. If not, then I can help to coordinate a reset of that credential so that he can then use that link to access that form.

Again, thanks!

Regards,

Daniele Albergottie, Sr.

Acting Director, Information Technology Division  
Office of Administration and Policy (OAP)  
Office of Enforcement and Compliance Assurance (OECA)  
Environmental Protection Agency (EPA)  
Office: (202) 566-1550

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END TRANSMISSION

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**From:** Fugh, Justina  
**Sent:** Tuesday, July 25, 2017 2:30 PM  
**To:** Albergottie, Daniele <[Albergottie.Daniele@epa.gov](mailto:Albergottie.Daniele@epa.gov)>  
**Cc:** Miles, Erin <[Miles.Erin@epa.gov](mailto:Miles.Erin@epa.gov)>  
**Subject:** RE: Ethics travel form

Hi,  
I don't know how to help you. What I can tell you is this: Patrick Traylor has a Lotus Notes ID already. I know this because I have used that ID to issue him a new employee ethics certificate and to track him in a Lotus Notes database that OGC uses. I don't know how he is supposed to access the Lotus Notes database, but here is the link to use: <Notes://DCOGCLN1/ETForm/ETForm.nsf>.  
Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

---

**From:** Albergottie, Daniele  
**Sent:** Tuesday, July 25, 2017 11:31 AM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Cc:** Miles, Erin <[Miles.Erin@epa.gov](mailto:Miles.Erin@epa.gov)>  
**Subject:** RE: Ethics travel form

Justina:

Sorry to bother you on this, but, we are trying to get things in place to support the requirement below. Since Patrick is new to the Agency, he does not have Lotus Notes installed on his computer, as we know it was a "terminal" application. So, if we do ask EZ Tech to create a Lotus Notes ID & Password for him to access this form, he will NOT need the Lotus Notes Application installed on his computer .. Correct? Let me know because we are trying to complete this request so that he can get this form completed.

Again, sorry to bother you , but, Thanks so much for the guidance on this

Regards,

Daniele Albergottie, Sr.

Acting Director, Information Technology Division  
Office of Administration and Policy (OAP)  
Office of Enforcement and Compliance Assurance (OECA)  
Environmental Protection Agency (EPA)  
Office: (202) 566-1550  
Mobile: Ex. 6 - Personal Privacy

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END TRANSMISSION

---

**From:** Miles, Erin  
**Sent:** Monday, July 24, 2017 2:56 PM  
**To:** Albergottie, Daniele <[Albergottie.Daniele@epa.gov](mailto:Albergottie.Daniele@epa.gov)>  
**Subject:** FW: Ethics travel form

Daniele,

Does this mean Patrick needs Lotus put onto his computer or can we avoid it if he simply has an ID/password and the below link? Either way, can you help with this? We need to get an ethics form signed right away.

Thanks!

Erin

---

**From:** Fugh, Justina  
**Sent:** Monday, July 24, 2017 2:27 PM  
**To:** Miles, Erin <[Miles.Erin@epa.gov](mailto:Miles.Erin@epa.gov)>  
**Cc:** Keith, Jennie <[Keith.Jennie@epa.gov](mailto:Keith.Jennie@epa.gov)>; Griffio, Shannon <[Griffio.Shannon@epa.gov](mailto:Griffio.Shannon@epa.gov)>  
**Subject:** RE: Ethics travel form

They need to contact EZ Tech for an updated Lotus Notes ID and password, and then send them the link to the database (from the OGC/Ethics travel page at <http://intranet.epa.gov/ogc/ethics/travel.htm>)

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** Miles, Erin  
**Sent:** Monday, July 24, 2017 1:10 PM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Cc:** Keith, Jennie <[Keith.Jennie@epa.gov](mailto:Keith.Jennie@epa.gov)>  
**Subject:** Ethics travel form

What's the recommended approach for new employees (specifically, our new political DAA) to complete the travel ethics form if they don't have Lotus installed on their computer? Thanks!

Message

---

**From:** Albores, Richard [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=CE14F8709A5E4AC383AF9D0B767FD8AF-RALBOR02]  
**Sent:** 9/13/2017 9:19:03 PM  
**To:** Baptist, Erik [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=10fc1b085ee14c6cb61db378356a1eb9-Baptist, Er]; Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]; Fotouhi, David [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=febaf0d56aab43f8a9174b18218c1182-Fotouhi, Da]; Schwab, Justin [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=eed0f609c0944cc2bbdb05df3a10aadb-Schwab, Jus]  
**CC:** Minoli, Kevin [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c9c0070d651a4625ac20258369f9b050-KMINOLI]; Griffo, Shannon [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6c901eb2c3ba4556a4a581b8816d5a9a-Vallance, Shannon]; Trudeau, Shaun [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=15644442a1194d7e9f07b0f9fc172d6d-Trudeau, Sh]  
**Subject:** RE: Fall Industry Association and EPA OGC Dialogue Meeting

There are definitely more than 5 attendees and we will keep topics to issues of general applicability. I will reach out to the relevant organization reps and let them know not to side bar with the Deputies.

R

~~~~~  
**RICHARD L. ALBORES**

Associate Deputy General Counsel \* Office of General Counsel \* U.S. EPA \* 1200 Pennsylvania Avenue, NW \* MC2310A  
\* Washington, DC 20460 \* email: albores.richard@epa.gov \* phone: 202.564.7102 \* mobile: 202.809.8029

---

**From:** Baptist, Erik  
**Sent:** Wednesday, September 13, 2017 4:53 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>; Schwab, Justin <Schwab.Justin@epa.gov>  
**Cc:** Minoli, Kevin <Minoli.Kevin@epa.gov>; Griffo, Shannon <Griffo.Shannon@epa.gov>; Trudeau, Shaun <Trudeau.Shaun@epa.gov>; Albores, Richard <Albores.Richard@epa.gov>  
**Subject:** RE: Fall Industry Association and EPA OGC Dialogue Meeting

Thanks, Justina. If appropriate, it would be helpful to have someone advise the representatives of those associations of our limitations before the meeting. It would help avoid any awkward moments.

**Erik Baptist**

Senior Deputy General Counsel  
Office of General Counsel  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460  
(202) 564-1689  
[baptist.erik@epa.gov](mailto:baptist.erik@epa.gov)



---

**From:** Fugh, Justina

**Sent:** Wednesday, September 13, 2017 1:28 PM

**To:** Fotouhi, David <Fotouhi.David@epa.gov>; Baptist, Erik <baptist.erik@epa.gov>; Schwab, Justin <Schwab.Justin@epa.gov>

**Cc:** Minoli, Kevin <Minoli.Kevin@epa.gov>; Griffo, Shannon <Griffo.Shannon@epa.gov>; Trudeau, Shaun <Trudeau.Shaun@epa.gov>; Albores, Richard <Albores.Richard@epa.gov>

**Subject:** Fall Industry Association and EPA OGC Dialogue Meeting

Gentlemen,

In reviewing the list of invited participants, OGC/Ethics noted that each of you has a potential conflict:

David Fotouhi – Association of American Railroads

Justin Schwab – American Fuel and Petrochemical Manufacturers

Erik Baptist – American Petroleum Institute

Please be advised that, before attending the event, you should first verify with Rich Albores whether your conflict will be attending and, if so, whether there will be at least four other participants. If so, then OGC/Ethics can allow you to participate in the meeting. The subject will involve a matter of general applicability and more than five entities will be present. You are reminded, however, that you should not engage in any sidebar conversation with the representative of your conflict, pursuant to your ethics obligations.

Thanks for your attention, as always. If you have any questions, please let Shannon Griffo or me know.  
Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

Message

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**From:** Davis, Gail [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3778A7CC1FA4F078F7C4B447C63E7C8-GDAVIS04]  
**Sent:** 10/25/2017 12:37:27 AM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** Re: Louisiana Chemical Association

Thank you!

Sent from my iPhone

On Oct 24, 2017, at 5:03 PM, Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)> wrote:

Thanks. See attached approved form.

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308  
North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004  
for the zip code) | phone 202-564-1786 | fax 202-564-1772

---

**From:** Davis, Gail  
**Sent:** Tuesday, October 24, 2017 4:11 PM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Subject:** Louisiana Chemical Association

Hi Justina, I have just entered the ethics form for 10/26 – 27 for the gift of lodging from the Louisiana Chemical Association for the Administrator to speak at their Annual Meeting. Thank you!

<Pruitt travel 10-26-17.pdf>

Message

---

**From:** Thornton, Kecia [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=F2B76071659D45F09279E4D798C062F1-KTHORNT0]  
**Sent:** 8/27/2018 7:32:50 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** Re: Meeting Request

Perfect!! I'm looking forward to the training!! Thank you.

Kecia Thornton  
OLEM/OMIS  
(202) 566-1913

On Aug 27, 2018, at 3:18 PM, Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)> wrote:

Hi Kecia,

- 1) Yes, he may give the speech and, if he does so, then he is permitted to eat the meal offered to him pursuant to the gift exclusion at 5 CFR 2635.203(b)(8)(i). This exclusion applies even though the donor is a federally registered lobbyist.
- 2) We will soon launch invitations training for all political principals and their ethics staff, so you will be reminded how to answer these questions yourself, with us for back up.

Justina

Justina Fugh | Director, Ethics Law Office | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

---

**From:** Thornton, Kecia  
**Sent:** Monday, August 27, 2018 1:44 PM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Cc:** ethics <[ethics@epa.gov](mailto:ethics@epa.gov)>  
**Subject:** FW: Meeting Request

Good afternoon, Justina!

I hope you had a wonderful weekend. Attached is additional information regarding the invitation Steven Cook received from AFPM. Please let me know your thoughts. Thank you very much!

Kecia  
(202) 566-1913

---

**From:** Thornton, Kecia  
**Sent:** Wednesday, August 22, 2018 11:42 AM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Subject:** FW: Meeting Request

Good morning, Justina!

I hope all is well with you. I am checking to see if I am on the right track for giving advice on an invitation request received by Steven Cook (see further down below.) Steven has been invited as a guest speaker at the American Fuel & Petrochemical Manufacturers (AFPM) legal committee dinner in October. I found that AFPM is a federally registered lobbyist. Since this is a local event and AFPM is a federally registered lobbyist, am I correct that he cannot join them for dinner? Would he still be okay to attend as guest speaker? Thank you for your input!

p.s. In the future, should I send these types of inquiries to the “ethics” community email or still directly to you? Thank you!

Kecia  
(202) 566-1913

---

**From:** Richard Moskowitz [<mailto:RMoskowitz@afpm.org>]  
**Sent:** Tuesday, August 21, 2018 9:15 AM  
**To:** Cook, Steven <[cook.steven@epa.gov](mailto:cook.steven@epa.gov)>  
**Cc:** Taylor Hoverman <[THoverman@afpm.org](mailto:THoverman@afpm.org)>; Maggie O'Connell <[MOConnell@afpm.org](mailto:MOConnell@afpm.org)>  
**Subject:** Meeting Request

Steven,

We would like to invite you to be our speaker at the AFPM Legal Committee dinner on October 1<sup>st</sup>. The committee would like you to address the Superfund Task Force and other lessons learned.

We can discuss the details at your convenience. Thank you for your consideration.

-Rich

Richard Moskowitz  
General Counsel

American  
Fuel & Petrochemical  
Manufacturers  
1800 M Street, NW  
Suite 900 North  
Washington, DC 20036

202.844.5474 direct  
202.457.0480 office

[rmoskowitz@afpm.org](mailto:rmoskowitz@afpm.org)  
Learn more about AFPM, at [afpm.org](http://afpm.org)

**CONFIDENTIALITY NOTICE:** This electronic message contains information from the American Fuel & Petrochemical Manufacturers that may be confidential or privileged. The information is intended solely for the use of the individual(s) or entity(ies) named above. If you are not the intended recipient, be aware that any disclosure, copying, distribution, or use of the contents of this message is prohibited. If you have received this e-mail in error, please notify us immediately by telephone at (202) 457-0480 or by reply e-mail and permanently delete this e-mail, any attachments, and all copies thereof.



Message

---

**From:** Davis, Gail [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3778A7CC1FA4F078F7C4B447C63E7C8-GDAVIS04]  
**Sent:** 10/17/2017 9:01:59 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** FW: Ethics Travel Form for Scott Pruitt

I just sent another ethics form for the American Chemistry folks to pay for the Administrator's room in Kiawah Island, SC. Thanks.

---

**From:** Gail Davis [mailto:Davis.Gail@epamail.epa.gov]  
**Sent:** Tuesday, October 17, 2017 5:01 PM  
**To:** Davis, Gail <Davis.Gail@epa.gov>  
**Subject:** Ethics Travel Form for Scott Pruitt


Hello Gail,

The Ethics Travel form you pre-filled has been forwarded via an e-mail link to this e-mail address: Scott Pruitt.

If you typed in the name for Scott Pruitt rather than picking the name from the EPA directory please return to the form using the link below, click Edit Document when you get there, and redo the step where you selected the travelers name. An example of how to pick a name from the EPA directory is provided.

**\*\*\* ABSOLUTELY DO NOT RETURN AND EDIT \*\*\*** the form unless requested to do so, and not without FIRST informing Scott Pruitt that you are making corrections. Scott Pruitt must close and exit the system if already open, as you will be resending a link to the corrected form. If Scott Pruitt has already submitted the form, close and exit the system -- it is too late to change the form. You must contact the OGC Ethics Official to have the submitted form disapproved. This disapproval will unlock the form so that you or the traveler can make any needed corrections.

If a post-travel amendment is needed, it must be done by the traveler. A Create Post-Travel Amendment button appears on the form after the travel end date.

Click the link at the right if you need to return to the form for editing or printing. Note: if the traveler receives a doclink not found error, the form is not yet available for the traveler. Please instruct the traveler to wait 1 hour and try clicking the link again -->>

Message

---

**From:** Wagner, Kenneth [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=048236AB99BC4D5EA16C139B1B67719C-WAGNER, KEN]  
**Sent:** 10/23/2017 10:22:09 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** Re: Join Us in Ponte Vedra Beach for Vinyl360!

Thanks Justina! HENry is now doing this one as I'm doing another, so Sharnett will reach out to assist on travel!

**Kenneth E. Wagner**

*Senior Advisor to the Administrator*

*For Regional & State Affairs*

**U S Environmental Protection Agency**

1200 Pennsylvania Avenue, NW

Washington, DC. 20460

office: (202) 564-1988

cell: Ex. 6 - Personal Privacy

email: [wagner.kenneth@epa.gov](mailto:wagner.kenneth@epa.gov)

***This email is for official EPA business only and is subject to disclosure under the Freedom of information Act***

On Oct 22, 2017, at 10:43 PM, Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)> wrote:

Hi Ken,

Thanks for asking! Sure, I can accept the travel expenses associated with this trip for you. If Gail Davis does your travel for you, then just tell her that you need an ethics travel form completed (she knows to contact me so that I can finish it up for you from my end). If, however, you don't have Gail, then the easiest thing to do for you is to print out this attached form and then write in the necessary information. Sign it and then send it back to me by pdf. Be sure to take care of this before the trip, though!

Cheers,

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308  
North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004  
for the zip code) | phone 202-564-1786 | fax 202-564-1772

---

**From:** Wagner, Kenneth  
**Sent:** Tuesday, October 17, 2017 10:07 PM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Subject:** Fwd: Join Us in Ponte Vedra Beach for Vinyl360!

I was invited to speak at this event and they have offered to pay my travel...so I'm letting you know and decide....

Those four ethics briefings are really paying off!

**Kenneth E. Wagner**

*Senior Advisor to the Administrator*

*For Regional and State Affairs*

**U S Environmental Protection Agency**

**202-564-1988 office**

**Ex. 6 - Personal Privacy**



**wagner.kenneth@epa.gov**

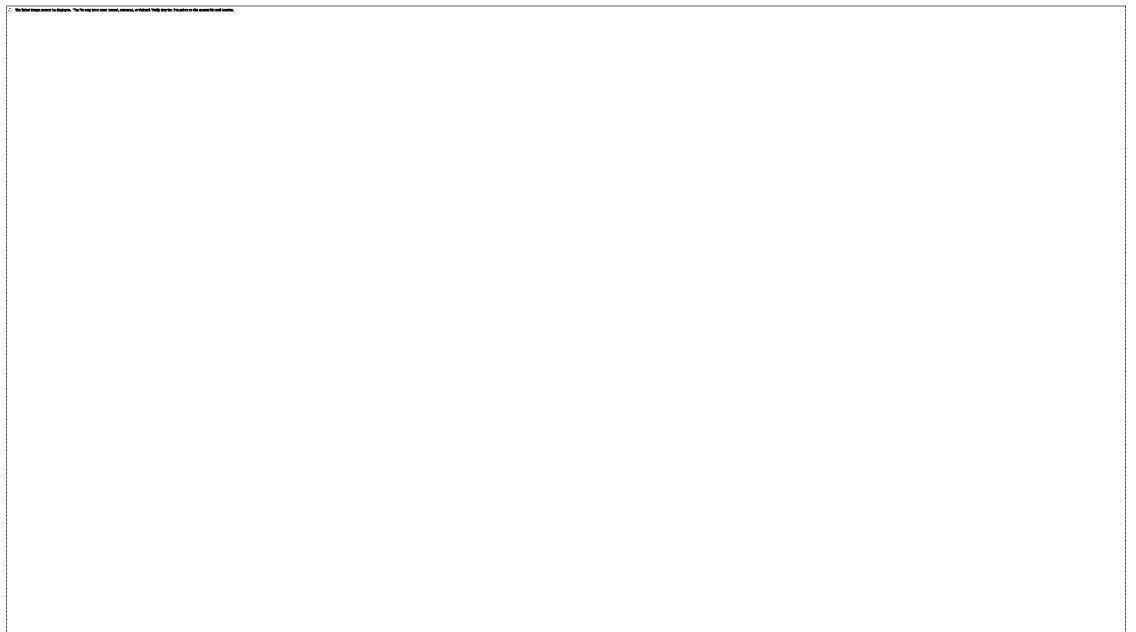
Begin forwarded message:

**From:** Stuart Jolly **Ex. 6 - Personal Privacy**  
**Date:** October 17, 2017 at 10:59:01 PM EDT  
**To:** Ken Wagner <[wagner.kenneth@epa.gov](mailto:wagner.kenneth@epa.gov)>  
**Subject:** Join Us in Ponte Vedra Beach for Vinyl360!



July 12, 2017

SHARE:  



It's Vinyl360 time.



Join your colleagues from across the vinyl value chain November 8-9 for a conference featuring global trends and targeted insights.

The highlight of this year's conference will be a conversation on sustainability. You will receive an update on the vinyl industry's sustainable development path and get an exclusive first look at the results of the industry-wide materiality analysis. Plus don't miss your opportunity to learn about the development of goals and key performance indicators for each market segment.



**Plus hear how one man went from activist to vinyl advocate.**

Our Vinyl360 keynote speaker will be Patrick Moore, co-founder of Greenpeace. Moore will talk about how and why his perceptions of vinyl have shifted over time.

In addition to Moore's remarks and the discussion of vinyl sustainability efforts, you will receive an economic vinyl industry outlook and an update on key legislative and regulatory developments. In addition, you will have an opportunity to learn from retailers what activists are demanding and what retailers need from their suppliers.

Registration for Vinyl360 is now open. Sign up today to learn from the experts and network with your peers at the luxury Sawgrass Marriott Golf Spa & Resort.

1747 Pennsylvania Ave, NW, Suite 825 Washington, DC 20006  
Phone 202.765.2200 | Fax 202.765.2275 | [info@vinylinfo.org](mailto:info@vinylinfo.org)  
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Please join us for the 2017 Vinyl360 Annual Conference on November 8-10 in Ponte Vedra Beach, FL at the Sawgrass Marriott Golf Spa and Resort. [Register here.](#)

<paper ET blank form.pdf>

Message

---

**From:** Melodie DeMulling [demulling@eli.org]  
**Sent:** 9/21/2017 6:58:33 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**CC:** Jacqueline Lopez [lopez@eli.org]  
**Subject:** RE: Environmental Law Institute Award Dinner--10/18/2017

Sure.

Melodie DeMulling  
Development Director  
Environmental Law Institute  
1730 M Street NW, Suite 700  
Washington, DC 20036  
202-939-3808



---

**From:** Fugh, Justina [mailto:Fugh.Justina@epa.gov]  
**Sent:** Thursday, September 21, 2017 2:47 PM  
**To:** Melodie DeMulling  
**Cc:** Jacqueline Lopez  
**Subject:** RE: Environmental Law Institute Award Dinner--10/18/2017

So confusing, eh? Let's see ... the tentative new confirmation date is early October, but we just don't know....

Take Wehrum. If he's on EPA's rolls on 10/18, then I can't let him sit with Hunton AT ALL, and he can't accept their ticket to attend the event.

Can we talk about the whole group and figure out what to do? Take Traylor, he CANNOT sit with Hogan and I need to remind him of that.

I've got a meeting at 3 but will be back by 4. Can you talk then?

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** Melodie DeMulling [mailto:demulling@eli.org]  
**Sent:** Thursday, September 21, 2017 10:34 AM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Cc:** Jacqueline Lopez <lopez@eli.org>  
**Subject:** RE: Environmental Law Institute Award Dinner--10/18/2017

Hi Justina: Yes Dourson is the only one we invited so far so I guess he can accept as private citizen? I'm not sure what to do there. Same for Bill Wehrum. We didn't invite him because he is with one of our member firms, Hunton, and always attends that way. So I think he is coming but yes, not sure what happens if he gets confirmed in the meantime. Do we send him an invite so he can still sit with Hunton? Would we have to seat him somewhere else? I have that same question for Patrick Traylor. Can he be seated with Hogan? We invited him but I know he'd like to sit with his former colleagues. Though I have other tables that would gladly take him.

---

**From:** Fugh, Justina [<mailto:Fugh.Justina@epa.gov>]  
**Sent:** Wednesday, September 20, 2017 5:53 PM  
**To:** Melodie DeMulling  
**Cc:** Jacqueline Lopez  
**Subject:** RE: Environmental Law Institute Award Dinner--10/18/2017

Hi,  
We had four nominees (Dourson plus the three below) who were scheduled to have their confirmation hearings today. But the Senate ended their session early, so the hearing is tentatively scheduled for early October. I just don't know about whether these folks below will be on board as EPA employees on the 18<sup>th</sup>.

Announced on 9/7/17 -- William L. Wehrum to be an Assistant Administrator for Air and Radiation  
Announced on 9/5/17 -- Matthew Z. Leopold to be General Counsel  
Announced on 9/5/17 -- David Ross to be Assistant Administrator for Water

Have you invited them already?  
Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** Melodie DeMulling [<mailto:demulling@eli.org>]  
**Sent:** Wednesday, September 20, 2017 5:12 PM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Cc:** Jacqueline Lopez <[lopez@eli.org](mailto:lopez@eli.org)>  
**Subject:** RE: Environmental Law Institute Award Dinner--10/18/2017

Hi Justina: We were inviting him in his EPA capacity but if he's not an EPA employee yet on the 18<sup>th</sup> we'd still want him to be there. Who are the other three? I'm not sure if we invited them or not.  
Thanks, Melodie

---

**From:** Fugh, Justina [<mailto:Fugh.Justina@epa.gov>]  
**Sent:** Tuesday, September 19, 2017 7:39 PM  
**To:** Melodie DeMulling  
**Subject:** FW: Environmental Law Institute Award Dinner--10/18/2017

Hey Melodie,

Michael Dourson received this invitation to the ELI dinner, but he's been nominated to a Presidentially Appointed Senate confirmed position at EPA. It's likely that, when this event rolls around, he'll be an EPA employee (even if not yet confirmed). Did ELI mean to invite him in his university capacity or his imminent EPA capacity? If it's the former, then he may not be affiliated with the university on October 18<sup>th</sup>. And if it's the latter, then did you also invite the other three EPA nominees? I will need to provide them all with the same advice.

Thanks,

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** Jacqueline Lopez <[lopez@eli.org](mailto:lopez@eli.org)>

**Date:** Thursday, September 7, 2017 at 4:37 PM

**To:** Michael Dourson <[doursoml@ucmail.uc.edu](mailto:doursoml@ucmail.uc.edu)>

**Cc:** Melodie DeMulling <[demulling@eli.org](mailto:demulling@eli.org)>

**Subject:** Environmental Law Institute Award Dinner--10/18/2017

Dear Mr. Dourson,

This is a non-transferable complimentary invitation to the Environmental Law Institute's 2017 Award Dinner honoring Achim Steiner, Administrator for the United Nations Development Programme. The Dinner will be held on **October 18, 2017** at the Omni Shoreham Hotel in Washington, D.C. Registration will begin at 5:00 p.m., with a pre-dinner reception beginning at 5:30, and dinner to follow at 7:15 p.m.

Attendance at ELI's Award Dinner has not been prohibited in the past by ethical guidance from United States government departments; however, please consult as appropriate within your State agency prior to accepting this invitation. Should ethics rules or conflict of interest policies require you to pay, you may send a check (payable to the Environmental Law Institute) to 1730 M Street, NW, Suite 700, Washington, D.C. 20036) in the amount of \$200 to cover the actual value of the discounted government/academic/nonprofit rate ticket.

We hope you'll be able to join us for Washington's premier annual event for environmental professionals from around the country. Please RSVP as soon as possible to me or with our Development Director, Melodie DeMulling, at [demulling@eli.org](mailto:demulling@eli.org) or 202-939-3808 regarding your availability to attend the Award Dinner.

Sincerely,

Jacqueline Lopez  
*Development Intern*  
Environmental Law Institute  
1730 M St., NW, Suite 700  
Washington, DC 20036  
[lopez@eli.org](mailto:lopez@eli.org)

Message

---

**From:** Davis, Gail [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3778A7CC1FA4F078F7C4B447C63E7C8-GDAVIS04]  
**Sent:** 3/7/2017 9:41:27 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**CC:** Duross, Jeanne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1771ddaf869f40998535d410e5b1a93e-Jduross]; Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]  
**Subject:** RE: CeraWeek 2017

Thank you, I will forward to the appropriate people.

---

**From:** Fugh, Justina  
**Sent:** Tuesday, March 07, 2017 4:40 PM  
**To:** Davis, Gail <Davis.Gail@epa.gov>  
**Cc:** Duross, Jeanne <Duross.Jeanne@epa.gov>; Keith, Jennie <Keith.Jennie@epa.gov>  
**Subject:** RE: CeraWeek 2017

Hi Gail,

Thanks for the form and for our discussion by phone. You explained that the Administrator will be delivering luncheon remarks at the CERA Week 2017 energy conference, but that he is attending and speaking only on Thursday, March 9. He is not attending any of the other days. I explained to you that new gift rules went into effect on January 1, 2017 affect how we deal with this very situation. Under the new gift regulations, the definition of "gift" now *excludes* free attendance when the employee is speaking on that same day. See 5 CFR 2635.203(b)(8)(i). So, Mr. Pruitt *does not need to do an ethics travel form* for the registration fee since he is attending only on the day that he is speaking. In addition, the exemption also applies to an employee who accompanies the Administrator and "whose presence on any day of the event is deemed to be essential by the agency to the presenting employee's participating in the event." See 5 CFR 2635.203(b)(8)(i). Thus, neither Samantha Dravis nor John Konkus needs to file an ethics travel form either.

Please note, however, that this advice DOES NOT APPLY if the employee is attending the event on days other than the speech.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

---

**From:** Davis, Gail  
**Sent:** Tuesday, March 07, 2017 1:07 PM

**To:** Duross, Jeanne <[Duross.Jeanne@epa.gov](mailto:Duross.Jeanne@epa.gov)>; Keith, Jennie <[Keith.Jennie@epa.gov](mailto:Keith.Jennie@epa.gov)>; Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>

**Subject:** CeraWeek 2017

I sent the ethics form for the waiver of the \$7250.00 registration fees for CERAweek 2017 for the Administrator in the system. Thanks

Message

---

**From:** Adams, Denise [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=713D72407180474BA161FBA2170B712A-DEADAMS]  
**Sent:** 10/23/2017 11:41:06 AM  
**To:** Schwimmer, Sergio [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=8fa8d93508fd480d9d17752b458cef45-Schwimmer, Sergio]; Murphy, Michael P. [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=cfd6f88847084c3cad5dd2c27b8e2d7-Murphy, Michael P.]; Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** RE: Nancy can sign off on her Ethics form

Thanks Sergio,

The problem was fixed on Friday. Nancy had to reset her password. Thanks

*Denise H. Adams*

Program Analyst  
International Travel Coordinator  
Environmental Protection Agency  
Office of Chemical Safety and Pollution Prevention (7101 M)  
[adams.denise@epa.gov](mailto:adams.denise@epa.gov)  
Tel: 202-564-0329  
Fax: 202-564-0512

---

**From:** Schwimmer, Sergio  
**Sent:** Monday, October 23, 2017 7:11 AM  
**To:** Murphy, Michael P. <Murphy.MichaelP@epa.gov>; Fugh, Justina <Fugh.Justina@epa.gov>  
**Cc:** Adams, Denise <Adams.Denise@epa.gov>  
**Subject:** FW: Nancy can sign off on her Ethics form

Hi Denise,

The Ethics database is managed by OGC. I have forwarded this email to Mike Murphy and Justina for assistance.

Thank you,

Sergio Schwimmer  
US EPA | Office of International & Tribal Affairs  
Office of Management & International Services  
[Schwimmer.Sergio@epa.gov](mailto:Schwimmer.Sergio@epa.gov)

<http://www2.epa.gov/international-cooperation>

---

**From:** Adams, Denise  
**Sent:** Friday, October 20, 2017 7:57 AM  
**To:** Schwimmer, Sergio <[Schwimmer.Sergio@epa.gov](mailto:Schwimmer.Sergio@epa.gov)>  
**Subject:** Nancy can sign off on her Ethics form

Good Morning --

I'm in a limbo and need your assistance on why Nancy Beck is unable to sign off on her Ethics form in the FIAT system. Can you assist me?

*Denise H. Adams*

Program Analyst  
International Travel Coordinator  
Environmental Protection Agency  
Office of Chemical Safety and Pollution Prevention (7101 M)

[adams.denise@epa.gov](mailto:adams.denise@epa.gov)

Tel: 202-564-0329

Fax: 202-564-0512



Message

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**From:** Thornton, Kecia [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=F2B76071659D45F09279E4D798C062F1-KTHORNT0]  
**Sent:** 8/21/2018 2:31:17 PM  
**To:** Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]  
**CC:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** FW: STEVEN COOK (TRAVEL START DATE – AUG 22nd)  
**Attachments:** Cook Aug 22 2018 Ethics Travel Form.pdf

**Importance:** High

Good morning, Jennie!

Thank you again for reviewing and providing input on the ethics travel form for Steven Cook. Your comments have been incorporated in the attached. You may have already responded to Nigel, but I wanted to see if you've had a chance to review the second submission. Steven is scheduled to travel in the morning. Thank you for any information you can share. Take care!

Kecia  
(202) 566-1913

---

**From:** Simon, Nigel  
**Sent:** Friday, August 17, 2018 5:06 PM  
**To:** ethics <ethics@epa.gov>  
**Cc:** Keith, Jennie <Keith.Jennie@epa.gov>; Fugh, Justina <Fugh.Justina@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>; Hilosky, Nick <Hilosky.Nick@epa.gov>; Thornton, Kecia <Thornton.Kecia@epa.gov>  
**Subject:** STEVEN COOK (TRAVEL START DATE – AUG 22nd)

Please see attached. The trip was cancelled and rescheduled to this Wednesday, Aug 22<sup>nd</sup>.

Thanks,

Nigel

Message

---

**From:** Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]  
**Sent:** 4/27/2017 9:59:45 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**CC:** Ringel, Aaron [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1654bdc951284a6d899a418a89fb0abf-Ringel, Aar]  
**Subject:** RE: Western Caucus Monthly Policy Breakfast next Friday 5/5/17

Thank you!

---

**From:** Fugh, Justina  
**Sent:** Thursday, April 27, 2017 5:50 PM  
**To:** Bennett, Tate <Bennett.Tate@epa.gov>  
**Cc:** Ringel, Aaron <ringel.aaron@epa.gov>  
**Subject:** RE: Western Caucus Monthly Policy Breakfast next Friday 5/5/17

Hi Tate and Aaron,  
Yes, you both may attend this event and speak. You will be attending and speaking in your official EPA capacity, so you can also ask EPA to reimburse you for any local travel expenses. Since you're speaking, you can eat the meal too.  
Thanks for asking!  
Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

---

**From:** Bennett, Tate  
**Sent:** Thursday, April 27, 2017 5:12 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Cc:** Ringel, Aaron <ringel.aaron@epa.gov>  
**Subject:** RE: Western Caucus Monthly Policy Breakfast next Friday 5/5/17

And the breakfast is less than 10 dollars! Just saw.

---

**From:** Bennett, Tate  
**Sent:** Thursday, April 27, 2017 3:48 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Cc:** Ringel, Aaron <ringel.aaron@epa.gov>  
**Subject:** Fwd: Western Caucus Monthly Policy Breakfast next Friday 5/5/17

Hi Justina! Would it be ok if Aaron and I were the special speakers at this widely attended Senate event next week? It is hosted by the Western Caucus Foundation, a 501c3.

Begin forwarded message:

**From:** "Small, Jeff" <[Jeff.Small@mail.house.gov](mailto:Jeff.Small@mail.house.gov)>  
**Date:** April 27, 2017 at 3:24:42 PM EDT  
**To:** "Small, Jeff" <[Jeff.Small@mail.house.gov](mailto:Jeff.Small@mail.house.gov)>  
**Cc:** "Roberson, Kelly" <[Kelly.Roberson@mail.house.gov](mailto:Kelly.Roberson@mail.house.gov)>  
**Subject:** Western Caucus Monthly Policy Breakfast next Friday 5/5/17

By now you should have received the below invite from the Western Caucus Foundation to next Friday's Monthly Policy Breakfast.

Usually 80+ House and Senate staffers attend. EPA staff and Leadership staff will be at this breakfast as well as a few outside speakers from industry.

Furthermore, the breakfast is good.

**Here's the details:**

Friday, May 5th, 2017  
9:30 a.m. – 10:45 a.m.  
Senate Visitors Center: Room 209-08

Hope you can attend.

Sincerely,

**Jeff Small**

*Executive Director | Congressional Western Caucus  
Senior Advisor | Congressman Paul A. Gosar, D.D.S.  
2057 Rayburn HOB | Washington, DC 20515  
(202) 225-2315 main  
[jeff.small@mail.house.gov](mailto:jeff.small@mail.house.gov)*

Message

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**From:** Davis, Patrick [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7FCA02D1EC544FBBD6FB2E7674E06B2-DAVIS, PATR]  
**Sent:** 9/7/2017 9:41:49 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** RE: Ethics advice concerning your invitation to the ELI dinner

Thank you.

Patrick Davis  
Environmental Protection Agency  
Deputy Assistant Administrator, Office of Land and Emergency Management  
202-564-3103 office

Ex. 6 - Personal Privacy | ell

Information sent to this email address may be subject to FOIA.

---

**From:** Fugh, Justina  
**Sent:** Thursday, September 7, 2017 4:27 PM  
**To:** Beck, Nancy <Beck.Nancy@epa.gov>; Morris, Jeff <Morris.Jeff@epa.gov>; Grant, Brian <Grant.Brian@epa.gov>; Smith, Walker <Smith.Walker@epa.gov>; Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>; Hengst, Benjamin <Hengst.Benjamin@epa.gov>; Davis, Patrick <davis.patrick@epa.gov>; Siciliano, CarolAnn <Siciliano.CarolAnn@epa.gov>; Neugeboren, Steven <Neugeboren.Steven@epa.gov>; Knizner, Steve <Knizner.Steve@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Brown, Byron <brown.byron@epa.gov>; Stein, Kathie <Stein.Kathie@epa.gov>; Lynch, Mary-Kay <Lynch.Mary-Kay@epa.gov>  
**Cc:** Ross, Margaret <Ross.Margaret@epa.gov>; Duross, Jeanne <Duross.Jeanne@epa.gov>; Griffo, Shannon <Griffo.Shannon@epa.gov>  
**Subject:** Ethics advice concerning your invitation to the ELI dinner

Hi there,

OGC/Ethics understands that you have received or will soon receive an invitation from the Environmental Law Institute (ELI) to be its guest at its annual awards dinner to be held this year on October 18, 2017 at the Omni Shoreham Hotel. I am writing to confirm that, if you decide to attend this event, you may do so consistent with the Standards of Ethical Conduct for Employees of the Executive Branch and, for those of you who are political appointees, consistent with the Trump Ethics Pledge.

This event qualifies for the Widely-Attended-Gathering gift exception, and as such, OGC/Ethics determines that your attendance at the event is in the Agency's interest because it will further agency programs and operations. Should you attend this event, you will NOT be required to report this as a gift on your financial disclosure report form (if you file one) because the gift is valued at \$200, which is BELOW the reporting threshold.

Also, this approval applies only to invitations from ELI itself. Any invitations from other sources will require separate determinations by either OGC or the appropriate Deputy Ethics Official. This determination covers you only -- the invitation is not transferable.

Acceptance of Free Attendance to a Dinner and Fundraiser (WAG rule)

The gift offered is an evening reception and dinner sponsored by ELI. Because the organization is offering you a complimentary ticket, we must analyze it according to the gift rules. Generally, federal employees are prohibited from accepting gifts given because of their official position or given by a prohibited source (typically, a person either regulated by or seeking to do business with the EPA). In this instance, the gift of free attendance is offered to you because of your official position. In analyzing the situation, we determined that the WAG exception is available because the reception will be widely attended, there will be a diversity of views represented, and there is an opportunity for the exchange of ideas. In order to utilize this gift exception, OGC/Ethics must also make a written determination that we believe your attendance is in the Agency's interest. We do, in fact, conclude that there is an Agency interest in your attendance if you wish to go.

Limitations Due to the Fundraiser Event

Please note that this event is a fundraiser. Therefore, ELI cannot use or reference your official position or title or any authority associated with your public office in furtherance of the fundraising effort. You may not actively or visibly participate in the promotion, production, or presentation of the event, which means that you cannot sit at a head table nor stand in a receiving line. We have confirmed with ELI that you will be placed by ELI and not seated at the request of any sponsoring entity that has bought a table.

Please let me know if you have any questions.

Regards,  
justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

Message

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**From:** Siciliano, CarolAnn [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=A0E84B7F6DDD4D92B99B2DBA90AA86B1-CSICILIA]  
**Sent:** 9/7/2017 8:29:19 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]; Duross, Jeanne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1771ddaf869f40998535d410e5b1a93e-Jduross]  
**Subject:** RE: Ethics advice concerning your invitation to the ELI dinner

Thank you, Justina (and Jeanne).

Carol Ann Siciliano  
Associate General Counsel  
Cross-Cutting Issues Law Office  
Office of General Counsel  
U.S. Environmental Protection Agency  
(202) 564-5489  
siciliano.carolann@epa.gov

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**From:** Fugh, Justina  
**Sent:** Thursday, September 07, 2017 4:27 PM  
**To:** Beck, Nancy <Beck.Nancy@epa.gov>; Morris, Jeff <Morris.Jeff@epa.gov>; Grant, Brian <Grant.Brian@epa.gov>; Smith, Walker <Smith.Walker@epa.gov>; Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>; Hengst, Benjamin <Hengst.Benjamin@epa.gov>; Davis, Patrick <davis.patrick@epa.gov>; Siciliano, CarolAnn <Siciliano.CarolAnn@epa.gov>; Neugeboren, Steven <Neugeboren.Steven@epa.gov>; Knizner, Steve <Knizner.Steve@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Brown, Byron <brown.byron@epa.gov>; Stein, Kathie <Stein.Kathie@epa.gov>; Lynch, Mary-Kay <Lynch.Mary-Kay@epa.gov>  
**Cc:** Ross, Margaret <Ross.Margaret@epa.gov>; Duross, Jeanne <Duross.Jeanne@epa.gov>; Griffo, Shannon <Griffo.Shannon@epa.gov>  
**Subject:** Ethics advice concerning your invitation to the ELI dinner

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Regards,

justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

Message

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**From:** Minoli, Kevin [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C9C0070D651A4625AC20258369F9B050-KMINOLI]  
**Sent:** 8/15/2017 2:02:11 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]; OGC Ethics [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d2008c2d46ec4cd783b3b20b84a10fdd-OGC Ethics]  
**Subject:** RE: Environmental Law Institute Award Dinner--10/18/2017

Oops... now I see you already sent it! Thanks!

**Kevin S. Minoli**  
Acting General Counsel  
Office of General Counsel  
US Environmental Protection Agency  
Main Office Line: 202-564-8040

---

**From:** Fugh, Justina  
**Sent:** Tuesday, August 15, 2017 2:52 AM  
**To:** Minoli, Kevin <Minoli.Kevin@epa.gov>; OGC Ethics <OGC\_Ethics@epa.gov>  
**Subject:** RE: Environmental Law Institute Award Dinner--10/18/2017

Hi,  
ELI always sends me the list of invitees so that I can do a blanket WAG. Just did that tonight, including your invitation. Just so you know, for the people located outside of DC who were invited (Catherine McCabe, Sam Coleman and Chris Grundler), I reminded them that they can't use attendance at the dinner to justify official travel. They need another reason to come to DC other than to go to this event.  
Justina

---

**From:** Minoli, Kevin  
**Sent:** Monday, August 14, 2017 1:10 PM  
**To:** OGC Ethics <OGC\_Ethics@epa.gov>  
**Subject:** FW: Environmental Law Institute Award Dinner--10/18/2017

Hi Folks- It appears that the ELI invites are going out via email today. Please let me know how best to forward the emails I get from folks asking whether they can attend to the ethics team so that we can ensure and send employees the formal ok. In the meantime, here is what I sent back to Samantha. Thanks, Kevin

**Kevin S. Minoli**  
Acting General Counsel  
Office of General Counsel  
US Environmental Protection Agency  
Main Office Line: 202-564-8040

---

**From:** Minoli, Kevin  
**Sent:** Monday, August 14, 2017 4:08 PM



**To:** Dravis, Samantha <[dravis.samantha@epa.gov](mailto:dravis.samantha@epa.gov)>

**Subject:** RE: Environmental Law Institute Award Dinner--10/18/2017

Hi Samantha- Yes, you will be permitted to attend this event. A number of agency employees are invited each year and we have been able to authorize their attendance regularly. I will ensure you get the formal determination from our ethics office along with the rest of the invitees (including me), but in the meantime you may RSVP yes for the event. Thanks, Kevin

**Kevin S. Minoli**

Acting General Counsel

Office of General Counsel

US Environmental Protection Agency

Main Office Line: 202-564-8040

---

**From:** Dravis, Samantha

**Sent:** Monday, August 14, 2017 3:54 PM

**To:** Minoli, Kevin <[Minoli.Kevin@epa.gov](mailto:Minoli.Kevin@epa.gov)>

**Subject:** Fwd: Environmental Law Institute Award Dinner--10/18/2017

Hey Kevin, am I permitted to attend?

Thank you

Sent from my iPad

Begin forwarded message:

**From:** Jacqueline Lopez <[lopez@eli.org](mailto:lopez@eli.org)>

**Date:** August 14, 2017 at 1:48:02 PM EDT

**To:** "[Dravis.samantha@Epa.gov](mailto:Dravis.samantha@Epa.gov)" <[Dravis.samantha@Epa.gov](mailto:Dravis.samantha@Epa.gov)>

**Cc:** Melodie DeMulling <[demulling@eli.org](mailto:demulling@eli.org)>

**Subject:** Environmental Law Institute Award Dinner--10/18/2017

Good afternoon Ms. Dravis,

My name is Jackie, and I am the development intern at ELI.

Last week, your formal invitation to the Environmental Law Institute's Annual Award Dinner was mailed to your office. This year, ELI will honor the Administrator for the United Nations Development Programme, Mr. Achim Steiner, for his leadership and contributions to international environmental development and sustainability.

Attached is a copy a of your letter invitation with more information. Please RSVP as soon as possible by replying to this email or emailing our Development Director, Melodie DeMulling, at [demulling@eli.org](mailto:demulling@eli.org).

Thank you, and we look forward to welcoming you to the Award Dinner on October 18<sup>th</sup>.

Warm regards,

Jacqueline Lopez

*Development Intern*

Environmental Law Institute  
1730 M St., NW, Suite 700  
Washington, DC 20036  
[lopez@eli.org](mailto:lopez@eli.org)

Message

---

**From:** Minoli, Kevin [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C9C0070D651A4625AC20258369F9B050-KMINOLI]  
**Sent:** 8/15/2017 2:01:46 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]; OGC Ethics [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d2008c2d46ec4cd783b3b20b84a10fdd-OGC Ethics]  
**Subject:** RE: Environmental Law Institute Award Dinner--10/18/2017

Super. So when folks email me I can say they should keep their eye out for a forthcoming WAG determination? Or should I just say we will do one and they can RSVP yes?

Kevin S. Minoli  
Acting General Counsel  
Office of General Counsel  
US Environmental Protection Agency  
Main Office Line: 202-564-8040

---

**From:** Fugh, Justina  
**Sent:** Tuesday, August 15, 2017 2:52 AM  
**To:** Minoli, Kevin <Minoli.Kevin@epa.gov>; OGC Ethics <OGC\_Ethics@epa.gov>  
**Subject:** RE: Environmental Law Institute Award Dinner--10/18/2017

Hi,  
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Justina

---

**From:** Minoli, Kevin  
**Sent:** Monday, August 14, 2017 1:10 PM  
**To:** OGC Ethics <[OGC\\_Ethics@epa.gov](mailto:OGC_Ethics@epa.gov)>  
**Subject:** FW: Environmental Law Institute Award Dinner--10/18/2017

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Kevin S. Minoli  
Acting General Counsel  
Office of General Counsel  
US Environmental Protection Agency  
Main Office Line: 202-564-8040

---

**From:** Minoli, Kevin  
**Sent:** Monday, August 14, 2017 4:08 PM

**To:** Dravis, Samantha <[dravis.samantha@epa.gov](mailto:dravis.samantha@epa.gov)>

**Subject:** RE: Environmental Law Institute Award Dinner--10/18/2017

Hi Samantha- Yes, you will be permitted to attend this event. A number of agency employees are invited each year and we have been able to authorize their attendance regularly. I will ensure you get the formal determination from our ethics office along with the rest of the invitees (including me), but in the meantime you may RSVP yes for the event. Thanks, Kevin

**Kevin S. Minoli**

Acting General Counsel

Office of General Counsel

US Environmental Protection Agency

Main Office Line: 202-564-8040

---

**From:** Dravis, Samantha

**Sent:** Monday, August 14, 2017 3:54 PM

**To:** Minoli, Kevin <[Minoli.Kevin@epa.gov](mailto:Minoli.Kevin@epa.gov)>

**Subject:** Fwd: Environmental Law Institute Award Dinner--10/18/2017

Hey Kevin, am I permitted to attend?

Thank you

Sent from my iPad

Begin forwarded message:

**From:** Jacqueline Lopez <[lopez@eli.org](mailto:lopez@eli.org)>

**Date:** August 14, 2017 at 1:48:02 PM EDT

**To:** "[Dravis.samantha@Epa.gov](mailto:Dravis.samantha@Epa.gov)" <[Dravis.samantha@Epa.gov](mailto:Dravis.samantha@Epa.gov)>

**Cc:** Melodie DeMulling <[demulling@eli.org](mailto:demulling@eli.org)>

**Subject:** Environmental Law Institute Award Dinner--10/18/2017

Good afternoon Ms. Dravis,

My name is Jackie, and I am the development intern at ELI.

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Attached is a copy a of your letter invitation with more information. Please RSVP as soon as possible by replying to this email or emailing our Development Director, Melodie DeMulling, at [demulling@eli.org](mailto:demulling@eli.org).

Thank you, and we look forward to welcoming you to the Award Dinner on October 18<sup>th</sup>.

Warm regards,

Jacqueline Lopez

*Development Intern*

Environmental Law Institute  
1730 M St., NW, Suite 700  
Washington, DC 20036  
[lopez@eli.org](mailto:lopez@eli.org)

Message

---

**From:** Duross, Jeanne [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1771DDAF869F40998535D410E5B1A93E-JDUROSS]  
**Sent:** 8/15/2017 1:17:28 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**CC:** Griffo, Shannon [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6c901eb2c3ba4556a4a581b8816d5a9a-Vallance, Shannon]  
**Subject:** FW: Environmental Law Institute Award Dinner--10/18/2017

Nevermind! I can use the addressee list as a checklist!

---

**From:** Duross, Jeanne  
**Sent:** Tuesday, August 15, 2017 9:17 AM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Cc:** Griffo, Shannon <Griffo.Shannon@epa.gov>  
**Subject:** RE: Environmental Law Institute Award Dinner--10/18/2017

Hi,

Would you send me the list so that I know who is on it? Might be helpful in case others who want to go and were invited by someone other than the host contact me.

Thx!

-Jeanne

---

**From:** Fugh, Justina  
**Sent:** Tuesday, August 15, 2017 2:52 AM  
**To:** Minoli, Kevin <Minoli.Kevin@epa.gov>; OGC Ethics <OGC\_Ethics@epa.gov>  
**Subject:** RE: Environmental Law Institute Award Dinner--10/18/2017

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Justina

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**To:** OGC Ethics <OGC\_Ethics@epa.gov>  
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Acting General Counsel  
Office of General Counsel  
US Environmental Protection Agency  
Main Office Line: 202-564-8040

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**From:** Minoli, Kevin  
**Sent:** Monday, August 14, 2017 4:08 PM  
**To:** Dravis, Samantha <[dravis.samantha@epa.gov](mailto:dravis.samantha@epa.gov)>  
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Environmental Law Institute  
1730 M St., NW, Suite 700  
Washington, DC 20036  
[lopez@eli.org](mailto:lopez@eli.org)



Message

---

**From:** Forsgren, Lee [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=A055D7329D5B470FBAA9920CE1B68A7D-FORSGREN, D]  
**Sent:** 8/15/2017 11:47:02 AM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** RE: Ethics advice concerning your invitation to the ELI dinner

Thanks Justina. Got the invitation and wasn't sure about the event.

---

**From:** Fugh, Justina  
**Sent:** Tuesday, August 15, 2017 2:43 AM  
**To:** Baptist, Erik <baptist.erik@epa.gov>; Bloom, David <Bloom.David@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Brooks, Phillip <Brooks.Phillip@epa.gov>; Brown, Byron <brown.byron@epa.gov>; Dravis, Samantha <dravis.samantha@epa.gov>; Dunham, Sarah <Dunham.Sarah@epa.gov>; Elkins, Arthur <Elkins.Arthur@epa.gov>; Flynn, Mike <Flynn.Mike@epa.gov>; Forsgren, Lee <Forsgren.Lee@epa.gov>; Fotouhi, David <fotouhi.david@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>; Mclean, Kevin <Mclean.Kevin@epa.gov>; Michaud, John <Michaud.John@epa.gov>; Minoli, Kevin <Minoli.Kevin@epa.gov>; Nishida, Jane <Nishida.Jane@epa.gov>; Pruitt, Scott <Pruitt.Scott@epa.gov>; Schmidt, Lorie <Schmidt.Lorie@epa.gov>; Schwab, Justin <schwab.justin@epa.gov>; Shapiro, Mike <Shapiro.Mike@epa.gov>; Shinkman, Susan <Shinkman.Susan@epa.gov>; Starfield, Lawrence <Starfield.Lawrence@epa.gov>; Traylor, Patrick <traylor.patrick@epa.gov>; Tsirigotis, Peter <Tsirigotis.Peter@epa.gov>; Wagner, Kenneth <wagner.kenneth@epa.gov>  
**Cc:** Griffo, Shannon <Griffo.Shannon@epa.gov>; Duross, Jeanne <Duross.Jeanne@epa.gov>; Ross, Margaret <Ross.Margaret@epa.gov>  
**Subject:** Ethics advice concerning your invitation to the ELI dinner

Hi there,

OGC/Ethics understands that you have received or will soon receive an invitation from the Environmental Law Institute (ELI) to be its guest at its annual awards dinner to be held this year on October 18, 2017 at the Omni Shoreham Hotel. I am writing to confirm that, if you decide to attend this event, you may do so consistent with the Standards of Ethical Conduct for Employees of the Executive Branch and, for those of you who are political appointees, consistent with the Trump Ethics Pledge.

This event qualifies for the Widely-Attended-Gathering gift exception, and as such, OGC/Ethics determines that your attendance at the event is in the Agency's interest because it will further agency programs and operations. Should you attend this event, you will NOT be required to report this as a gift on your financial disclosure report form (if you file one) because the gift is valued at \$200, which is BELOW the reporting threshold.

Please note: this approval applies only to invitations from ELI itself. Any invitations from other sources will require separate determinations by either OGC or the appropriate Deputy Ethics Official. This determination covers you only -- the invitation is not transferable.

Acceptance of Free Attendance to a Dinner and Fundraiser (WAG rule)

The gift offered is an evening reception and dinner sponsored by ELI. Because the organization is offering you a complimentary ticket, we must analyze it according to the gift rules. Generally, federal employees are prohibited from accepting gifts given because of their official position or given by a prohibited source (typically,

a person either regulated by or seeking to do business with the EPA). In this instance, the gift of free attendance is offered to you because of your official position. In analyzing the situation, we determined that the WAG exception is available because the reception will be widely attended, there will be a diversity of views represented, and there is an opportunity for the exchange of ideas. In order to utilize this gift exception, OGC/Ethics must also make a written determination that we believe your attendance is in the Agency's interest. We do, in fact, conclude that there is an Agency interest in your attendance if you wish to go.

Limitations Due to the Fundraiser Event

Please note that this event is a fundraiser. Therefore, ELI cannot use or reference your official position or title or any authority associated with your public office in furtherance of the fundraising effort. You may not actively or visibly participate in the promotion, production, or presentation of the event, which means that you cannot sit at a head table nor stand in a receiving line. We have confirmed with ELI that you will be placed by ELI and not seated at the request of any sponsoring entity that has bought a table.

Please let me know if you have any questions.

Regards,  
justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

Message

---

**From:** Keith, Jennie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=79C2D25E4DFE45CEAF788A87F714CC0F-JKEITH]  
**Sent:** 4/25/2017 7:01:23 PM  
**To:** Hupp, Sydney [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d50089ff1a5b4c83baa0160afe2c33cb-Hupp, Sydne]; Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** RE: Invitation to speak - Administrator Pruitt

Hi there,

There are **no ethics concerns** with respect to this event. It may be important to know that the organization extending the offer is a lobbying organization (Kelley Drye & Warren LLP). The White House Ethics Pledge prohibits acceptance of gifts from lobbyists, but as there is no gift offered, the Ethics Pledge is not implicated. This information is provided solely for your consideration. See the following for more complete details.

Best, Jennie for OGC/Ethics

**White House Ethics Pledge**

The White House Ethics Pledge does not allow political appointees to accept gifts from registered lobbyists. The persons extending the invitation are registered lobbyists or lobbying organizations, therefore if the official speaks, he must be careful about the organization offering him a tangible gift to take home with him.

**Acceptance of Free Attendance (including meals)**

Because the official has been invited to speak and present information on behalf of the agency, pursuant to 5 CFR 2635.204(g)(1), acceptance of free attendance and any meals provided **on the day of the event** is not considered a gift. The official's participation in the event is viewed as a customary and necessary part of his performance of the event and does not involve a gift to him or to the agency. While free attendance will cover a meal that is provided to all attendees, it does not cover side events, receptions, and other meals (like a speaker's dinner) that are not open to all attendees.

**Financial Disclosure Implications**

Because this is not a gift, there are no financial disclosure reporting obligations.

---

**From:** Hupp, Sydney  
**Sent:** Tuesday, April 25, 2017 1:43 PM  
**To:** Keith, Jennie <Keith.Jennie@epa.gov>; Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** FW: Invitation to speak - Administrator Pruitt

Slightly more time sensitive as it would be next week if we end up accepting. Would you all mind looking over?

Thanks!

**Sydney Hupp**  
Executive Scheduler  
Office of the Administrator  
202.816.1659 (c)

---

**From:** Ferguson, Lincoln  
**Sent:** Tuesday, April 25, 2017 1:20 PM  
**To:** Hupp, Sydney <[hupp.sydney@epa.gov](mailto:hupp.sydney@epa.gov)>  
**Subject:** FW: Invitation to speak - Administrator Pruitt

Do you mind running this through ethics just in case we end up doing it?

Thanks!

---

**From:** Villafranco, John [<mailto:JVillafranco@KelleyDrye.com>]  
**Sent:** Tuesday, April 25, 2017 12:15 PM  
**To:** Ferguson, Lincoln <[ferguson.lincoln@epa.gov](mailto:ferguson.lincoln@epa.gov)>  
**Subject:** Invitation to speak - Administrator Pruitt

Lincoln

Thanks for taking the time this morning to discuss the event. The draft agenda for our upcoming program on May 3rd at the Watergate Hotel is attached. We are hoping that Administrator Pruitt can speak at 9:45 am, a prime slot in the program, immediately after Tucker Carlson. Alternatively, if he would like to open the program with an earlier slot, we can make that work. We are open to any format (e.g., Q&A, prepared speech, moderated session, etc.) and are very pleased that the Administrator is considering our invitation.

As you can see, we already have confirmed many prominent speakers, including Maureen Ohlhausen, Acting Chair FTC; Ann Marie Buerkle, Acting Chair, U.S. Consumer Product Safety Commission; Congressman Steve Scalise, Majority Whip; Thomas Pahl, Acting Director, Bureau of Consumer Protection FTC; Nese Guendelsberger, Acting Chief, Wireless Telecommunications Bureau, FCC; Congressman Garret Graves (R-LA); and several others. We are also awaiting word from other invited speakers, including Scott Gottlieb, nominated to be FDA Commissioner.

Our afternoon environmental panel tracks Administrator Pruitt's agenda in that the session will focus on the former Obama Administration's heavily regulated policies and the current Trump Administration's approach to environmental policy and the role the States may play. We have confirmed Michael Shapiro, Acting Assistant Administrator, Office of Water at EPA and we have invited Alexandra Dapolito Dunn, Executive Director and General Counsel, Environmental Council of the States

As you can see below, we have an impressive list of registered companies that would present a nice opportunity for the EPA Administrator. We now have more than 200 registered and are expecting 300.

We are holding the 9:45 slot for the Administrator. If at all possible, we would like to lock that down this afternoon. Please let me know if I can provide additional information. I am available all day.

And thank you for your consideration of this request.

John

JOHN E. VILLAFRANCO

Partner

Kelley Drye & Warren LLP

Tel: (202) 342-8423

Cell: Ex. 6 - Personal Privacy

jvillafranco@kelleydrye.com

**List of Companies Registered**

| Company                                                                  |
|--------------------------------------------------------------------------|
| AAPA                                                                     |
| ACT   The App Association                                                |
| AFFI                                                                     |
| Affinity Networks, Inc.                                                  |
| Airlines for America                                                     |
| Albemarle Corporation                                                    |
| Alcoa                                                                    |
| Alliance Data                                                            |
| Ally Financial Inc.                                                      |
| Amcham Finland Inc                                                       |
| American Action Forum                                                    |
| American Association of Exporters and Importers                          |
| American Bakers Association                                              |
| American Honey Producers Association                                     |
| American Iron and Steel Institute                                        |
| AOL Inc.                                                                 |
| API                                                                      |
| Arc Aspicio                                                              |
| Armstrong                                                                |
| Army & Air Force Exchange Service                                        |
| ASRI                                                                     |
| Assist Wireless                                                          |
| Association of Fish and Wildlife Agencies                                |
| Atrium Innovations                                                       |
| Baker Hughes                                                             |
| Blum & Co., Inc.                                                         |
| Boomerang Wireless                                                       |
| BP America                                                               |
| BT                                                                       |
| Calgon Carbon Corporation                                                |
| Cardinal Infrastructure                                                  |
| Cargill, Incorporated                                                    |
| Caterpillar Global Tax and Trade                                         |
| CCIA                                                                     |
| CGM, LLC                                                                 |
| Chesapeake Legal Alliance                                                |
| Chobani, LLC                                                             |
| Cincinnati Bell                                                          |
| Citizens For A Just Society (CJS)                                        |
| CleanChoice Energy                                                       |
| Colfax Corporation                                                       |
| Committee to Support U.S. Trade Laws                                     |
| Concord                                                                  |
| Conservation International                                               |
| Council of Better Business Bureaus - Advertising Self-Regulatory Council |
| Council for Responsible Nutrition                                        |
| Delegation of the European Union                                         |
| Dell Financial Services                                                  |
| Deloitte Tax LLP                                                         |
| Dewberry                                                                 |











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This E-mail message and any attachments have been scanned for viruses and are believed to be free of any virus or other defect that might affect any computer system into which it is received and opened. However, it is the responsibility of the recipient to ensure that it is virus free and no responsibility is accepted by Kelley Drye & Warren LLP for any loss or damage arising in any way from its use.

Message

---

**From:** Hupp, Sydney [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D50089FF1A5B4C83BAA0160AFE2C33CB-HUPP, SYDNE]  
**Sent:** 4/25/2017 5:43:25 PM  
**To:** Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]; Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** FW: Invitation to speak - Administrator Pruitt  
**Attachments:** EVENT\_100 Days\_Print Agenda v2.DOCX

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**Sydney Hupp**  
Executive Scheduler  
Office of the Administrator  
202.816.1659 (c)

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**Sent:** Tuesday, April 25, 2017 12:15 PM  
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And thank you for your consideration of this request.

John

JOHN E. VILLAFRANCO  
Partner  
Kelley Drye & Warren LLP  
Tel: (202) 342-8423  
Cell: Ex. 6 - Personal Privacy  
jvillafanco@kelleydrye.com

**List of Companies Registered**

| Company                                                                  |
|--------------------------------------------------------------------------|
| AAPA                                                                     |
| ACT   The App Association                                                |
| AFFI                                                                     |
| Affinity Networks, Inc.                                                  |
| Airlines for America                                                     |
| Albemarle Corporation                                                    |
| Alcoa                                                                    |
| Alliance Data                                                            |
| Ally Financial Inc.                                                      |
| Amcham Finland Inc                                                       |
| American Action Forum                                                    |
| American Association of Exporters and Importers                          |
| American Bakers Association                                              |
| American Honey Producers Association                                     |
| American Iron and Steel Institute                                        |
| AOL Inc.                                                                 |
| API                                                                      |
| Arc Aspicio                                                              |
| Armstrong                                                                |
| Army & Air Force Exchange Service                                        |
| ASRI                                                                     |
| Assist Wireless                                                          |
| Association of Fish and Wildlife Agencies                                |
| Atrium Innovations                                                       |
| Baker Hughes                                                             |
| Blum & Co., Inc.                                                         |
| Boomerang Wireless                                                       |
| BP America                                                               |
| BT                                                                       |
| Calgon Carbon Corporation                                                |
| Cardinal Infrastructure                                                  |
| Cargill, Incorporated                                                    |
| Caterpillar Global Tax and Trade                                         |
| CCIA                                                                     |
| CGM, LLC                                                                 |
| Chesapeake Legal Alliance                                                |
| Chobani, LLC                                                             |
| Cincinnati Bell                                                          |
| Citizens For A Just Society (CJS)                                        |
| CleanChoice Energy                                                       |
| Colfax Corporation                                                       |
| Committee to Support U.S. Trade Laws                                     |
| Concord                                                                  |
| Conservation International                                               |
| Council of Better Business Bureaus - Advertising Self-Regulatory Council |
| Council for Responsible Nutrition                                        |
| Delegation of the European Union                                         |
| Dell Financial Services                                                  |
| Deloitte Tax LLP                                                         |
| Dewberry                                                                 |











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Message

**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 9/21/2018 5:20:15 PM  
**To:** Dunn, Alexandra [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=426d0177eaab4001a5c85f051565997e-Dunn, Alexa]  
**CC:** Lindsay, Jane [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d8e1bbd664b54cf2909b87a75de47f31-Lindsay, Ja]; Jensen, LeAnn [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=92bec0e34e7d4c3292a8d0028590f636-Jensen, LeAnn]; Szaro, Deb [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2a189e7c928e4eb3930e29543cad5e5d-Szaro, Deb]; Dierker, Carl [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1f9b7627f8e4efab65f9e9513bf323e-Dierker, Carl]  
**Subject:** RE: Ethics advice concerning your invitation to the ELI dinner

Hi Alex,

## Ex. 6 - Personal Privacy

**Ex. 6 - Personal Privacy** I'm now looking at emails and see this one from you.

I just want to reiterate that, from an ethics perspective, you do not need to pay for the ticket personally. You may accept the free ticket from ELI and will not have to report that on your financial disclosure report since it's under the reporting threshold. Moreover, I don't personally see any need for you to stay in a hotel unless you want to do so. You could stay at your house in the DC area instead.

Justina

Justina Fugh | Director, Ethics Law Office | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

---

**From:** Dunn, Alexandra  
**Sent:** Thursday, September 20, 2018 7:54 AM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Cc:** Lindsay, Jane <lindsay.jane@epa.gov>; Jensen, LeAnn <Jensen.Leann@epa.gov>; Szaro, Deb <Szaro.Deb@epa.gov>; Dierker, Carl <Dierker.Carl@epa.gov>  
**Subject:** Re: Ethics advice concerning your invitation to the ELI dinner

After reflecting I am going to attend this event by taking annual leave and have purchased a ticket and booked a hotel personally.

Due to my official work schedule I am working part of the day on the 23rd / flying to Washington in the afternoon of the 23rd /attending the event /and flying back first thing in the morning on the 24th so that I can attend meetings in the region.

*Sent from my iPhone*

Alexandra Dapolito Dunn, J.D.  
Regional Administrator  
Region 1 New England  
(617) 918-1012

***This email is for official EPA business only and may be subject to disclosure under the Freedom of information Act***

On Aug 1, 2018, at 1:00 PM, Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)> wrote:

Hi Alex,  
Sorry for the delay in getting back to you and sorry for not being more clear in your WAG determination. I am brimming with joy over the fact that you were concerned about ELI and your recusal statement! But at the risk of making your head explode, I'm writing to say that you can still attend this event if you want.

The reason is that your recusal statement addresses ELI in the context of your official EPA duties. But this determination about a widely attended gathering is made for you in your individual capacity, not because you are carrying out official duties. The event takes place after business hours, so you can't be on official time. That's why I indicated to you that you can't be on official travel orders just to attend the ELI dinner and, by the way, you can't expense to the government costs associated with attending a WAG event.

So our advice still stands: if you want to attend this event in your personal capacity, you may do so.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308  
North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004  
for the zip code) | phone 202-564-1786 | fax 202-564-1772

---

**From:** Dunn, Alexandra  
**Sent:** Sunday, July 29, 2018 2:10 AM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Cc:** Lindsay, Jane <[lindsay.jane@epa.gov](mailto:lindsay.jane@epa.gov)>  
**Subject:** Re: Ethics advice concerning your invitation to the ELI dinner

I would expect that my recusal supersedes this correct?

*Sent from my iPhone*

Alexandra Dapolito Dunn, J.D.  
Regional Administrator  
Region 1 New England  
(617) 918-1012

***This email is for official EPA business only and may be subject to disclosure under the Freedom of information Act***

On Jul 28, 2018, at 11:25 PM, Dunn, Alexandra <[dunn.alexandra@epa.gov](mailto:dunn.alexandra@epa.gov)> wrote:

Thank you - this is helpful. I don't know if I can attend - perhaps!

*Sent from my iPhone*

Alexandra Dapolito Dunn, J.D.  
Regional Administrator  
Region 1 New England  
(617) 918-1012

***This email is for official EPA business only and may be subject to disclosure under the Freedom of information Act***

On Jul 28, 2018, at 7:41 AM, Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)> wrote:

Oops, I hit send too soon. Here is your ethics advice.

Hi there,  
OGC/Ethics understands that you have received or will soon receive an invitation from the Environmental Law Institute (ELI) to be its guest at its annual awards dinner to be held this year on October 23, 2018 at the Omni Shoreham Hotel. I am writing to confirm that, if you decide to attend this event, you may do so consistent with the Standards of Ethical Conduct for Employees of the Executive Branch and the Trump ethics pledge that you signed.

This event qualifies for the Widely-Attended-Gathering gift exception and the donor is not a federally registered lobbyist. Thus, OGC/Ethics determines that your attendance at the event is in the Agency's interest because it will further agency programs and operations. Should you attend this event, you will NOT be required to report this as a gift on your financial disclosure report form because the gift is valued at \$275, which is BELOW the reporting threshold.

Please note, however, that because you are not located in the DC metropolitan area, you cannot use this event itself as a justification for official travel. In addition, this approval applies only to invitations from ELI itself. Any invitations from other sources will require separate determinations by either OGC or the appropriate Deputy Ethics Official. This determination covers you only -- the invitation is not transferable and is not intended for more than just one attendee.

Acceptance of Free Attendance to a Dinner and Fundraiser (WAG rule)

The gift offered is an evening reception and dinner sponsored by ELI. Because the organization is offering you a complimentary ticket, we must analyze it according to the gift rules. Generally, federal employees are prohibited from accepting gifts given because of their official position or given by a prohibited source (typically, a person either regulated by or seeking to do business with the EPA). In this instance, the gift of free attendance is offered to you because of your official position. In analyzing the situation, we determined that the WAG exception is available because the reception will be widely attended, there will be a diversity of views represented, and there is an opportunity for the exchange of ideas. In order to utilize this gift exception, OGC/Ethics must also make a written determination that we believe your attendance is in the Agency's interest. We do, in fact, conclude that there is an Agency interest in your attendance if you wish to go.

Limitations Due to the Fundraiser Event

Please note that this event is a fundraiser. Therefore, ELI cannot use or reference your official position or title or any authority associated with your public office in furtherance of the fundraising effort. You may not actively or visibly participate in the promotion, production, or presentation of the event, which means that you cannot sit at a head table nor stand in a receiving line. We have confirmed with ELI that you will be placed by ELI and not seated at the request of any sponsoring entity that has bought a table.

Please let me know if you have any questions.

Regards,  
justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US  
EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton  
Federal Building | Washington, DC 20460 (for ground deliveries, use 20004  
for the zip code) | phone 202-564-1786 | fax 202-564-1772

Message

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**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 8/1/2018 4:56:16 PM  
**To:** Duross, Jeanne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1771ddaf869f40998535d410e5b1a93e-Jduross]; Griffo, Shannon [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6c901eb2c3ba4556a4a581b8816d5a9a-Vallance, Shannon]  
**CC:** Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]  
**Subject:** RE: Ethics advice concerning your invitation to the ELI dinner

Sold. Will let her know. THANKS!

---

**From:** Duross, Jeanne  
**Sent:** Wednesday, August 01, 2018 12:05 PM  
**To:** Griffo, Shannon <Griffo.Shannon@epa.gov>; Fugh, Justina <Fugh.Justina@epa.gov>  
**Cc:** Keith, Jennie <Keith.Jennie@epa.gov>  
**Subject:** RE: Ethics advice concerning your invitation to the ELI dinner

I agree.

Ethics Attorney | Office of General Counsel | US EPA | Mail Code 2311A | Room 4407F North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-6595 | epa mobile 202-579-7848 | fax 202-564-1772

---

**From:** Griffo, Shannon  
**Sent:** Wednesday, August 01, 2018 12:04 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Cc:** Keith, Jennie <Keith.Jennie@epa.gov>; Duross, Jeanne <Duross.Jeanne@epa.gov>  
**Subject:** RE: Ethics advice concerning your invitation to the ELI dinner

# Ex. 5 - Deliberative Process

Shannon Griffo  
Ethics Attorney  
Office of General Counsel, Ethics  
U.S. Environmental Protection Agency  
(202) 564-7061  
[Griffo.Shannon@epa.gov](mailto:Griffo.Shannon@epa.gov)

---

**From:** Fugh, Justina  
**Sent:** Sunday, July 29, 2018 8:07 PM



**To:** Keith, Jennie <[Keith.Jennie@epa.gov](mailto:Keith.Jennie@epa.gov)>  
**Cc:** Griffo, Shannon <[Griffo.Shannon@epa.gov](mailto:Griffo.Shannon@epa.gov)>  
**Subject:** FW: Ethics advice concerning your invitation to the ELI dinner

## Ex. 5 - Deliberative Process

---

**From:** Dunn, Alexandra  
**Sent:** Sunday, July 29, 2018 2:10 AM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Cc:** Lindsay, Jane <[lindsay.jane@epa.gov](mailto:lindsay.jane@epa.gov)>  
**Subject:** Re: Ethics advice concerning your invitation to the ELI dinner

I would expect that my recusal supersedes this correct?

*Sent from my iPhone*

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(617) 918-1012

***This email is for official EPA business only and may be subject to disclosure under the Freedom of information Act***

On Jul 28, 2018, at 7:41 AM, Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)> wrote:

Oops, I hit send too soon. Here is your ethics advice.

Hi there,  
OGC/Ethics understands that you have received or will soon receive an invitation from the Environmental Law Institute (ELI) to be its guest at its annual awards dinner to be held this year on October 23, 2018 at the Omni Shoreham Hotel. I am writing to confirm that, if you decide to attend this event, you may do so consistent with the Standards of Ethical Conduct for Employees of the Executive Branch and the Trump ethics pledge that you signed.

This event qualifies for the Widely-Attended-Gathering gift exception and the donor is not a federally registered lobbyist. Thus, OGC/Ethics determines that

your attendance at the event is in the Agency's interest because it will further agency programs and operations. Should you attend this event, you will NOT be required to report this as a gift on your financial disclosure report form because the gift is valued at \$275, which is BELOW the reporting threshold.

**Please note, however, that because you are not located in the DC metropolitan area, you cannot use this event itself as a justification for official travel.** In addition, this approval applies only to invitations from ELI itself. Any invitations from other sources will require separate determinations by either OGC or the appropriate Deputy Ethics Official. This determination covers you only -- the invitation is not transferable and is not intended for more than just one attendee.

Acceptance of Free Attendance to a Dinner and Fundraiser (WAG rule)

The gift offered is an evening reception and dinner sponsored by ELI. Because the organization is offering you a complimentary ticket, we must analyze it according to the gift rules. Generally, federal employees are prohibited from accepting gifts given because of their official position or given by a prohibited source (typically, a person either regulated by or seeking to do business with the EPA). In this instance, the gift of free attendance is offered to you because of your official position. In analyzing the situation, we determined that the WAG exception is available because the reception will be widely attended, there will be a diversity of views represented, and there is an opportunity for the exchange of ideas. In order to utilize this gift exception, OGC/Ethics must also make a written determination that we believe your attendance is in the Agency's interest. We do, in fact, conclude that there is an Agency interest in your attendance if you wish to go.

Limitations Due to the Fundraiser Event

Please note that this event is a fundraiser. Therefore, ELI cannot use or reference your official position or title or any authority associated with your public office in furtherance of the fundraising effort. You may not actively or visibly participate in the promotion, production, or presentation of the event, which means that you cannot sit at a head table nor stand in a receiving line. We have confirmed with ELI that you will be placed by ELI and not seated at the request of any sponsoring entity that has bought a table.

Please let me know if you have any questions.

Regards,  
justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772



Message

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**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 7/28/2018 5:40:33 AM  
**To:** Dunn, Alexandra [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=426d0177eaab4001a5c85f051565997e-Dunn, Alexa]  
**Subject:** Ethics advice concerning your invitation to the ELI dinner

---

**From:** Fugh, Justina  
**Sent:** Saturday, July 28, 2018 1:34 AM  
**To:** Bodine, Susan <bodine.susan@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Traylor, Patrick <traylor.patrick@epa.gov>; Brown, Byron <brown.byron@epa.gov>; Ross, David P <ross.davidp@epa.gov>; Wheeler, Andrew <wheeler.andrew@epa.gov>  
**Cc:** Keith, Jennie <Keith.Jennie@epa.gov>; Duross, Jeanne <Duross.Jeanne@epa.gov>  
**Subject:** Ethics advice concerning your invitation to the ELI dinner

Hi there,

OGC/Ethics understands that you have received or will soon receive an invitation from the Environmental Law Institute (ELI) to be its guest at its annual awards dinner to be held this year on October 23, 2018 at the Omni Shoreham Hotel. I am writing to confirm that, if you decide to attend this event, you may do so consistent with the Standards of Ethical Conduct for Employees of the Executive Branch and the Trump ethics pledge that you signed.

This event qualifies for the Widely-Attended-Gathering gift exception and the donor is not a federally registered lobbyist. Thus, OGC/Ethics determines that your attendance at the event is in the Agency's interest because it will further agency programs and operations. Should you attend this event, you will NOT be required to report this as a gift on your financial disclosure report form because the gift is valued at \$275, which is BELOW the reporting threshold.

Please note, however, that because you are not located in the DC metropolitan area, you cannot use this event itself as a justification for official travel. In addition, this approval applies only to invitations from ELI itself. Any invitations from other sources will require separate determinations by either OGC or the appropriate Deputy Ethics Official. This determination covers you only -- the invitation is not transferable and is not intended for more than just one attendee.

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Please let me know if you have any questions.

Regards,

justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

Message

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**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 6/18/2018 6:12:43 AM  
**To:** Willis, Sharnett [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=97b55bdfac5e41d8aa81064dfa2cb944-Willis, Sharnett]  
**CC:** Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]  
**Subject:** RE: Arizona Manufacturer's Council -- Summit in Prescott, AZ  
**Attachments:** FILLABLE Ethics Travel Form.pdf

Here's the form to use, Sharnett. You can list me as the DEO and return the form to me by pdf. Jennie Keith, copied here, will end up reviewing it.

Justina

---

**From:** Willis, Sharnett  
**Sent:** Friday, June 15, 2018 5:29 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** FW: Arizona Manufacturer's Council -- Summit in Prescott, AZ

Good Afternoon Justina,

I'm Henry's scheduler/travel preparer. Please let me know which forms I need to complete.

Thanks.

Sharnett Willis  
Office of the Administrator  
202/564-7866

---

**From:** Darwin, Henry  
**Sent:** Friday, June 8, 2018 1:49 PM  
**To:** Willis, Sharnett <Willis.Sharnett@epa.gov>  
**Subject:** FW: Arizona Manufacturer's Council -- Summit in Prescott, AZ

Can you please work with Justina?

Thanks

Henry

---

**From:** Fugh, Justina  
**Sent:** Friday, June 8, 2018 1:38 PM  
**To:** Darwin, Henry <darwin.henry@epa.gov>  
**Subject:** Re: Arizona Manufacturer's Council -- Summit in Prescott, AZ

Henry,

The short answer is yes, we can allow you to accept this invitation. The slightly longer answer is that we will need to know the name of your scheduled/travel preparer so that person can complete the necessary ethics travel form so that my staff can accept the offer of travel expenses.

Even if the donor is a federally registered lobbyist, we can still allow you to speak and accept travel but you cannot accept any honorarium or other gift such as a presentation item, etc.

Justina

Sent from my iPhone

On Jun 8, 2018, at 11:24 AM, Darwin, Henry <[darwin.henry@epa.gov](mailto:darwin.henry@epa.gov)> wrote:

Justina:

What do you say?

Thanks

Henry

---

**From:** Scott, Elizabeth [<mailto:escott@swlaw.com>] **On Behalf Of** Narducci, Lucas  
**Sent:** Wednesday, June 6, 2018 7:35 PM  
**To:** Darwin, Henry <[darwin.henry@epa.gov](mailto:darwin.henry@epa.gov)>  
**Cc:** **Ex. 6 - Personal Privacy** 'Glenn Hamer' **Ex. 6 - Personal Privacy**  
**Ex. 6 - Personal Privacy** Reeve, Amanda  
<[areeve@swlaw.com](mailto:areeve@swlaw.com)>  
**Subject:** Arizona Manufacturer's Council -- Summit in Prescott, AZ

Attached is correspondence from Luke Narducci with regard to the above event.

Beth Scott

Legal Administrative Assistant to:

David Boden / Mark Cole / Jennifer Hadley Catero / Michael J. Marrie / Lucas J. Narducci

Snell & Wilmer L.L.P.

**Ex. 6 - Personal Privacy**

[escott@swlaw.com](mailto:escott@swlaw.com) [www.swlaw.com](http://www.swlaw.com)

<image001.png>

The information contained in this electronic mail message is confidential information intended only for the use of the individual or entity named above and may be privileged. If the reader of this message is not the intended recipient or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone (602.382.6000) and delete the original message. Thank you.

<2018 0606 LT H Darwin re Prescott Summit.pdf>

Message

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**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 5/23/2018 3:03:05 PM  
**To:** Davis, Gail [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3778a7cc1fa4f078f7c4b447c63e7c8-Gdavis04]; Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]  
**CC:** Kundinger, Kelly [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e3c9a5d16e2244079e222f342bf9992f-Kundinger,]  
**Subject:** heads up  
**Attachments:** FILLABLE Ethics Travel Form.pdf

Hi there,

Kelly mentioned two upcoming trips that involve lunches and wondered if/how the Administrator could accept:

- Next week -- speaking at a farm, offered lunch; and
- In July – speaking at a mine, offered lunch

Because both of these engagements are outside of the local commuting area, I told Kelly that she can work with Gail to complete the attached ethics travel form in advance. Then OGC/Ethics can approve the acceptance of the lunches, even if from a federally registered lobbyist, using the government-wide authority of 31 USC 1353.

Gail – sending you the form just to be sure you have it.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772



Message

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**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 2/5/2018 3:04:26 AM  
**To:** Hewitt, James [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=41b19dd598d340bb8032923d902d4bd1-Hewitt, Jam]  
**Subject:** RE: Ethics sign-off on gala invitation

Hi Jim,

This note confirms the advice I provided to you orally on Thursday of last week. As I recall, you are an AD appointee so you did not sign the Trump ethics pledge (as is required of political appointees). Thus, even though the Americans for Tax Reform entity is a federally registered lobbyist (and it is), you are not prohibited from accepting a gift from them to go to a widely attended gathering. To be clear, if you were a political appointee, then even though this event purports to be free, you could not attend because going to a widely attended gathering is not an exception to the lobbying gift ban.

In this case, though, you have been invited by the sponsor of the event, and we anticipate that there will be a diversity of interests represented at the event and more than 50 people present. I'll conclude that your attendance furthers an agency interest so that you can attend, but you will be attending in your personal capacity only. You will not be representing EPA nor should you identify yourself with reference to EPA alone. You cannot ask EPA to pay for your commuting expenses to this event or for any parking, etc. I cannot ascertain the value of the ticket that you are getting for free, but if it's more than \$390, then you will have to report this gift on your next financial disclosure report as a gift of free attendance.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** Hewitt, James  
**Sent:** Wednesday, January 31, 2018 10:47 AM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** Ethics sign-off on gala invitation

Hi Justina,

I've been invited to attend the Americans for Tax Reform "Tax Reform Gala" next Thursday. Is this something I am allowed to attend?

Thanks,  
James

James Hewitt  
Environmental Protection Agency  
Press Secretary

Hello!

Just a quick reminder, we are hosting a Tax Reform Gala on Thursday, February 8th and would like to invite you to attend as our guest. Please find the invitation below.

If you would like to join us, please RSVP to [Gala@atr.org](mailto:Gala@atr.org). This email is just a reminder so if you've already RSVPed, no need to do so again.

We hope to see you!

All the best,  
Megan

**Megan Worley**

*Americans for Tax Reform* | o: 202-785-0266 | d: 202-785-2368

*& Americans for Tax Reform Foundation* | [www.atr.org](http://www.atr.org) | [Facebook](#) | [Twitter](#)



You are cordially invited to join Americans for Tax Reform Foundation and our sponsors at a Gala celebrating the historic passing of tax reform.

Thursday, February 8, 2018

*6:30-10:30 in the evening*

The Arts Club of Washington  
*2017 I Street, NW Washington, DC 20006*

Black Tie Preferred

If you would like to attend, please RSVP to [Gala@atr.org](mailto:Gala@atr.org) no later than Thursday, February 1<sup>st</sup>. You will then receive a password protected link to register for your ticket.

*This will be a ticketed event and all guests must have a ticket to enter. Guests must be 21 or over to attend. IDs will be checked upon arrival. This invitation is non transferrable. Please do not forward. This event is undertaken in compliance with Congressional Ethics Rules and other applicable laws. This is a widely attended event.*

Americans for Tax Reform | 722 12th St. NW, 4th Floor, WASHINGTON, DC 20003

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Message

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**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 1/10/2018 3:30:59 PM  
**To:** Watkins, Erica [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=13f4969d64f849f1b583efeb476fa9bf-Watkins, Erica]  
**Subject:** Re: Attendance at the 2018 North American International Auto Show and reception/Dinner

Not at work until later today. Call home at Ex. 6 - Personal Privacy

Sent from my iPhone

On Jan 10, 2018, at 7:06 AM, Watkins, Erica <[Watkins.Erica@epa.gov](mailto:Watkins.Erica@epa.gov)> wrote:

Justina

Thanks—I will call you at 10:30 this morning

Erica Watkins  
Immediate Office Room C186  
Office of Transportation and Air Quality  
Ph:734-214-4415  
Cell: Ex. 6 - Personal Privacy

---

**From:** Fugh, Justina  
**Sent:** Tuesday, January 09, 2018 9:14 PM  
**To:** Atkinson, Emily <[Atkinson.Emily@epa.gov](mailto:Atkinson.Emily@epa.gov)>  
**Cc:** Lewis, Josh <[Lewis.Josh@epa.gov](mailto:Lewis.Josh@epa.gov)>; Watkins, Erica <[Watkins.Erica@epa.gov](mailto:Watkins.Erica@epa.gov)>  
**Subject:** RE: Attendance at the 2018 North American International Auto Show and reception/Dinner

Hi,  
For everyone in travel status, OGC/ethics will do an ethics travel form to cover their lunch (paid by the Association of Global Automobile Makers) and the reception/dinner (paid for by the Alliance of Automobile Manufacturers). Here are the forms for the OAR front office, and I appreciate that Emily has said that they will not claim per diem for these meals.

I still need to do the ethics travel forms for Karl Simon, and also work with Erica on a WAG determination for the career people who are not in travel status. Erica – can you call me, please?  
Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308  
North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004  
for the zip code) | phone 202-564-1786 | fax 202-564-1772

---

**From:** Atkinson, Emily  
**Sent:** Tuesday, January 09, 2018 4:36 PM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Cc:** Lewis, Josh <[Lewis.Josh@epa.gov](mailto:Lewis.Josh@epa.gov)>; Watkins, Erica <[Watkins.Erica@epa.gov](mailto:Watkins.Erica@epa.gov)>  
**Subject:** RE: Attendance at the 2018 North American International Auto Show and reception/Dinner  
**Importance:** High

Hi Justina,

Bill Wehrum, Mandy Gunasekara, Clint Woods and David Harlow have individually told me they would like to take your recommendation to use the travel ethics form to accept the lunch and reception/dinner gifts.

I will prepare their travel vouchers and will then not claim per diem for either meal.

When the travel ethics forms are completed on your end, could you send me a copy?

Let me know if you need anything else at this point.

Emily

Emily Atkinson  
Management Analyst/Office Manager  
Immediate Office of the Assistant Administrator  
Office of Air and Radiation, USEPA  
Room 5412B, 1200 Pennsylvania Avenue NW  
Washington, DC 20460  
Voice: 202-564-1850  
Email: [atkinson.emily@epa.gov](mailto:atkinson.emily@epa.gov)

---

**From:** Atkinson, Emily  
**Sent:** Monday, January 08, 2018 9:04 AM  
**To:** Harlow, David <[harlow.david@epa.gov](mailto:harlow.david@epa.gov)>; Wehrum, Bill <[Wehrum.Bill@epa.gov](mailto:Wehrum.Bill@epa.gov)>; Gunasekara, Mandy <[Gunasekara.Mandy@epa.gov](mailto:Gunasekara.Mandy@epa.gov)>; Woods, Clint <[woods.clint@epa.gov](mailto:woods.clint@epa.gov)>  
**Cc:** Lewis, Josh <[Lewis.Josh@epa.gov](mailto:Lewis.Josh@epa.gov)>; Watkins, Erica <[Watkins.Erica@epa.gov](mailto:Watkins.Erica@epa.gov)>; Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Subject:** FW: Attendance at the 2018 North American International Auto Show and reception/Dinner  
**Importance:** High

Hi Bill, David, Mandy and Clint,

Please review the options outlined below and let me know by COB today how you would like for Justina to complete your ethics forms for the lunch and reception/dinner at next week's Detroit Auto Show.

At the bottom of Justina's email you will see her recommendation is highlighted.

And OTAQ is working now to confirm the cost of the lunch – it is somewhere between \$18 - \$24.

Thanks.  
Emily

Emily Atkinson  
Management Analyst/Office Manager  
Immediate Office of the Assistant Administrator  
Office of Air and Radiation, USEPA  
Room 5412B, 1200 Pennsylvania Avenue NW  
Washington, DC 20460  
Voice: 202-564-1850  
Email: [atkinson.emily@epa.gov](mailto:atkinson.emily@epa.gov)

---

**From:** Fugh, Justina  
**Sent:** Friday, January 05, 2018 10:43 PM  
**To:** Watkins, Erica <[Watkins.Erica@epa.gov](mailto:Watkins.Erica@epa.gov)>  
**Cc:** Atkinson, Emily <[Atkinson.Emily@epa.gov](mailto:Atkinson.Emily@epa.gov)>; Christian, Pamela <[Christian.Pamela@epa.gov](mailto:Christian.Pamela@epa.gov)>; OGC Ethics <[OGC\\_Ethics@epa.gov](mailto:OGC_Ethics@epa.gov)>  
**Subject:** RE: Attendance at the 2018 North American International Auto Show and reception/Dinner

Hi there,

For the upcoming Detroit Auto show, you once again have a mix of employees attending, some of whom will be in travel status while others will not. Set forth below is the ethics analysis for each of the gifts that you identified. Please note that the decisions depended on the employee's type of appointment and whether or not s/he will be in travel status or not.

| ANTICIPATED GIFT                              | SPONSORED BY:                                                                | VALUE                                                                   | ETHICS DETERMINATION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|-----------------------------------------------|------------------------------------------------------------------------------|-------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Press Preview Day – Tuesday January 16, 2018. | Detroit Auto Dealers Association (not a federally registered lobbyist)       | \$18 for ticket                                                         | Both career and non career employees may accept this gift. The donor is not a federally registered lobbyist, and the gift is less than \$20. This gift DOES NOT include the lunch, which is sponsored by another entity.                                                                                                                                                                                                                                                                                                                       |
| Lunch on press preview day                    | Association of Global Automobile Makers (is a federally registered lobbyist) | Unknown. OTAQ needs to find out how much this lunch will be per person. | <p>POLITICAL APPOINTEES</p> <ul style="list-style-type: none"><li>• &lt;!--[if !supportLists]--&gt;&lt;!--[endif]--&gt;Option 1 – OGC/Ethics does an ethics travel form for each political to accept this lunch. We will need to know the value of the meal AND the political appointee cannot also claim per diem on his/her voucher for this meal; or</li><li>• &lt;!--[if !supportLists]--&gt;&lt;!--[endif]--&gt;Option 2 – each political appointee pays out of pocket for the meal and then can claim per diem on the voucher.</li></ul> |

|                                                                                                    |                                                                           |      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|----------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------|------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                    |                                                                           |      | <p>CAREER EMPLOYEES</p> <ul style="list-style-type: none"> <li>• &lt;!--[if !supportLists]--&gt;&lt;!--[endif]--&gt;If in travel status, then OGC/Ethics will do an ethics travel form to allow them to accept the lunch.</li> <li>• &lt;!--[if !supportLists]--&gt;&lt;!--[endif]--&gt;The Cobo Arena is 40.5 miles from Ann Arbor, so any OTAQ/AA employees will NOT be in travel status. For them, OGC/Ethics will have to consider whether we can call just the lunch a widely attended gathering. We'll consider that once we know how much the lunch is.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Reception/Dinner at 6:30 P.M. at the Wright & Co Restaurant 1500 Woodward Avenue Detroit, MI 48226 | Alliance of Automobile manufacturers (is a federally registered lobbyist) | \$45 | <p>POLITICAL APPOINTEES</p> <ul style="list-style-type: none"> <li>• &lt;!--[if !supportLists]--&gt;&lt;!--[endif]--&gt;Option 1 – OGC/Ethics does an ethics travel form for each political to accept this lunch. We will need to know the value of the meal AND the political appointee cannot also claim per diem on his/her voucher for this meal; or</li> <li>• &lt;!--[if !supportLists]--&gt;&lt;!--[endif]--&gt;Option 2 – each political appointee pays out of pocket for the meal and then can claim per diem on the voucher.</li> </ul> <p>CAREER EMPLOYEES</p> <ul style="list-style-type: none"> <li>• &lt;!--[if !supportLists]--&gt;&lt;!--[endif]--&gt;In this instance, the gift of free attendance is offered to because of their official position. In analyzing the situation, OGC/Ethics determines that this event is a widely attended gathering (WAG). There will be more than 100 people present representing a diversity of views represented, and there is an opportunity for the exchange of ideas. In order to utilize this gift exception, OGC/Ethics must also make a written determination that we believe your attendance is in the Agency's interest. We do, in fact, conclude that there is an Agency interest in their attendance. No career employee will have to pay for the</li> </ul> |

|  |  |  |                                                                                                                                                                                                                        |
|--|--|--|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  |  |  | dinner, but if they are from Ann Arbor, then they will be personally responsible for paying for any parking and mileage costs out of pocket. They will not be able to seek local travel reimbursement for this dinner. |
|--|--|--|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

I am assuming that it'll be easier for the politicals if OGC/Ethics uses the ethics travel form to accept the meals from the lobbyists. But if we do, then Emily has to be sure to advise the travel preparers not to claim per diem for those meals! And because I don't know the value of the lunch, I didn't do all of the ethics travel forms yet. I can do them all at the same time, once I know the value of the lunch.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** Watkins, Erica  
**Sent:** Wednesday, January 03, 2018 10:41 AM  
**To:** ethics <[ethics@epa.gov](mailto:ethics@epa.gov)>  
**Cc:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>; Atkinson, Emily <[Atkinson.Emily@epa.gov](mailto:Atkinson.Emily@epa.gov)>; Christian, Pamela <[Christian.Pamela@epa.gov](mailto:Christian.Pamela@epa.gov)>  
**Subject:** Fwd: Attendance at the 2018 North American International Auto Show and reception/Dinner

Good Morning Ethics Team

I am just writing to check in on the status of this ethics review request

Thanks  
Erica

Sent from my iPhone

Begin forwarded message:

**From:** "Watkins, Erica" <[Watkins.Erica@epa.gov](mailto:Watkins.Erica@epa.gov)>  
**Date:** December 18, 2017 at 10:12:44 AM EST  
**To:** ethics <[ethics@epa.gov](mailto:ethics@epa.gov)>  
**Cc:** "Fugh, Justina" <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>, "Christian, Pamela" <[Christian.Pamela@epa.gov](mailto:Christian.Pamela@epa.gov)>  
**Subject:** Attendance at the 2018 North American International Auto Show and reception/Dinner

Good Morning Ethics team

I am submitting a request for 4 political appointees and 5 career staff to attend the 2018 North American International Auto Show press day and the reception/Dinner.



The following are the details:

Attendees:

- <!--[if !supportLists]--><!--[endif]-->Bill Wehrum – AA will be in travel status
- <!--[if !supportLists]--><!--[endif]-->Mandy Gunasekara, Principle Deputy Administrator OAR will be in travel status
- <!--[if !supportLists]--><!--[endif]-->David Harlow – counselor to the AA will be in travel status
- <!--[if !supportLists]--><!--[endif]-->Clint Woods – Deputy Assistant Administrator OAR will be in travel Status
- <!--[if !supportLists]--><!--[endif]-->Christopher Grundler – OTAQ Office Director
- <!--[if !supportLists]--><!--[endif]-->Leila H Cook – OTAQ Associate Office Director
- <!--[if !supportLists]--><!--[endif]-->Karl Simon – Director Transportation and Climate Division, OTAQ will be in travel status
- <!--[if !supportLists]--><!--[endif]-->David Haugen, Director testing and Advanced technology Division, OTAQ
- <!--[if !supportLists]--><!--[endif]-->Bill Charmley, Director, Assessment and Standards Division OTAQ

Dates:

Press Preview Day – Tuesday January 16, 2018, 7:00 A.M. – 7 P.M.

Events:

- <!--[if !supportLists]--><!--[endif]-->Preview of Auto Show during press Day – This is a free event
- <!--[if !supportLists]--><!--[endif]-->Lunch Provided during Press Day
- <!--[if !supportLists]--><!--[endif]-->Reception/Dinner at 6:30 P.M. at the Wright & Co Restaurant 1500 Woodward Avenue Detroit, MI 48226 – value of the dinner is \$45
- <!--[if !supportLists]--><!--[endif]-->Free tickets to the Auto show for each attendee at Press Preview Day – estimated cost of the pass is \$18

Sponsorship:

- <!--[if !supportLists]--><!--[endif]-->Press Day is organized by the organizers of the Auto Show itself – Detroit Auto Dealers Association (they provide the free pass to each attendee)
- <!--[if !supportLists]--><!--[endif]-->Lunch at Press day is being provided by Global Automakers
- <!--[if !supportLists]--><!--[endif]-->Reception/Dinner is being sponsored by the Alliance of Automobile manufacturers

I am requesting ethics approval for the following:

- <!--[if !supportLists]--><!--[endif]-->Attendance of the Free press preview day and acceptance of the Auto show ticket valued at \$18 sponsored by the Detroit Auto dealers Association
- <!--[if !supportLists]--><!--[endif]-->Acceptance of the lunch provided during the free press day which is sponsored by Global Automakers
- <!--[if !supportLists]--><!--[endif]-->Acceptance of the Reception/Dinner

I have attached information you provided to OTAQ in the past regarding the attendance of this event.

We will have Karl Simon fill out the ethics travel form for the event.

During Justina's visit to Ann Arbor she thought it would best to have her handle the travel ethics forms for the political appointees and I would inform Emily Atkinson of this.

Thanks in advance for your assistance

Erica

Erica Watkins  
Immediate Office Room C186  
Office of Transportation and Air Quality  
Ph: 734-214-4415  
Cell: Ex. 6 - Personal Privacy

Message

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**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 1/10/2018 2:13:31 AM  
**To:** Atkinson, Emily [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bb2155adef6a44aea9410741f0c01d27-Atkinson, Emily]  
**CC:** Lewis, Josh [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b22d1d3bb3f84436a524f76ab6c79d7e-JOLEWIS]; Watkins, Erica [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=13f4969d64f849f1b583efeb476fa9bf-Watkins, Erica]  
**Subject:** RE: Attendance at the 2018 North American International Auto Show and reception/Dinner  
**Attachments:** Wehrum 1.pdf; Wehrum 2.pdf; Gunasekara 1.pdf; Gunasekara 2.pdf; Woods 1.pdf; Woods 2.pdf; Harlow 1.pdf; Harlow 2.pdf

Hi,

For everyone in travel status, OGC/ethics will do an ethics travel form to cover their lunch (paid by the Association of Global Automobile Makers) and the reception/dinner (paid for by the Alliance of Automobile Manufacturers). Here are the forms for the OAR front office, and I appreciate that Emily has said that they will not claim per diem for these meals.

I still need to do the ethics travel forms for Karl Simon, and also work with Erica on a WAG determination for the career people who are not in travel status. Erica – can you call me, please?

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

---

**From:** Atkinson, Emily  
**Sent:** Tuesday, January 09, 2018 4:36 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Cc:** Lewis, Josh <Lewis.Josh@epa.gov>; Watkins, Erica <Watkins.Erica@epa.gov>  
**Subject:** RE: Attendance at the 2018 North American International Auto Show and reception/Dinner  
**Importance:** High

Hi Justina,

Bill Wehrum, Mandy Gunasekara, Clint Woods and David Harlow have individually told me they would like to take your recommendation to use the travel ethics form to accept the lunch and reception/dinner gifts.

I will prepare their travel vouchers and will then not claim per diem for either meal.

When the travel ethics forms are completed on your end, could you send me a copy?

Let me know if you need anything else at this point.

Emily

Emily Atkinson  
Management Analyst/Office Manager  
Immediate Office of the Assistant Administrator  
Office of Air and Radiation, USEPA  
Room 5412B, 1200 Pennsylvania Avenue NW  
Washington, DC 20460  
Voice: 202-564-1850  
Email: [atkinson.emily@epa.gov](mailto:atkinson.emily@epa.gov)

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**From:** Atkinson, Emily  
**Sent:** Monday, January 08, 2018 9:04 AM  
**To:** Harlow, David <[harlow.david@epa.gov](mailto:harlow.david@epa.gov)>; Wehrum, Bill <[Wehrum.Bill@epa.gov](mailto:Wehrum.Bill@epa.gov)>; Gunasekara, Mandy <[Gunasekara.Mandy@epa.gov](mailto:Gunasekara.Mandy@epa.gov)>; Woods, Clint <[woods.clint@epa.gov](mailto:woods.clint@epa.gov)>  
**Cc:** Lewis, Josh <[Lewis.Josh@epa.gov](mailto:Lewis.Josh@epa.gov)>; Watkins, Erica <[Watkins.Erica@epa.gov](mailto:Watkins.Erica@epa.gov)>; Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Subject:** FW: Attendance at the 2018 North American International Auto Show and reception/Dinner  
**Importance:** High

Hi Bill, David, Mandy and Clint,

Please review the options outlined below and let me know by COB today how you would like for Justina to complete your ethics forms for the lunch and reception/dinner at next week's Detroit Auto Show.

At the bottom of Justina's email you will see her recommendation is highlighted.

And OTAQ is working now to confirm the cost of the lunch – it is somewhere between \$18 - \$24.

Thanks.  
Emily

Emily Atkinson  
Management Analyst/Office Manager  
Immediate Office of the Assistant Administrator  
Office of Air and Radiation, USEPA  
Room 5412B, 1200 Pennsylvania Avenue NW  
Washington, DC 20460  
Voice: 202-564-1850  
Email: [atkinson.emily@epa.gov](mailto:atkinson.emily@epa.gov)

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**From:** Fugh, Justina  
**Sent:** Friday, January 05, 2018 10:43 PM  
**To:** Watkins, Erica <[Watkins.Erica@epa.gov](mailto:Watkins.Erica@epa.gov)>  
**Cc:** Atkinson, Emily <[Atkinson.Emily@epa.gov](mailto:Atkinson.Emily@epa.gov)>; Christian, Pamela <[Christian.Pamela@epa.gov](mailto:Christian.Pamela@epa.gov)>; OGC Ethics <[OGC\\_Ethics@epa.gov](mailto:OGC_Ethics@epa.gov)>  
**Subject:** RE: Attendance at the 2018 North American International Auto Show and reception/Dinner

Hi there,

For the upcoming Detroit Auto show, you once again have a mix of employees attending, some of whom will be in travel status while others will not. Set forth below is the ethics analysis for each of the gifts that you identified. Please note

that the decisions depended on the employee's type of appointment and whether or not s/he will be in travel status or not.

| ANTICIPATED GIFT                                                                                   | SPONSORED BY:                                                                | VALUE                                                                   | ETHICS DETERMINATION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|----------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------|-------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Press Preview Day – Tuesday January 16, 2018.                                                      | Detroit Auto Dealers Association (not a federally registered lobbyist)       | \$18 for ticket                                                         | Both career and non career employees may accept this gift. The donor is not a federally registered lobbyist, and the gift is less than \$20. This gift DOES NOT include the lunch, which is sponsored by another entity.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Lunch on press preview day                                                                         | Association of Global Automobile Makers (is a federally registered lobbyist) | Unknown. OTAQ needs to find out how much this lunch will be per person. | <p>POLITICAL APPOINTEES</p> <ul style="list-style-type: none"> <li>• Option 1 – OGC/Ethics does an ethics travel form for each political to accept this lunch. We will need to know the value of the meal AND the political appointee cannot also claim per diem on his/her voucher for this meal; or</li> <li>• Option 2 – each political appointee pays out of pocket for the meal and then can claim per diem on the voucher.</li> </ul> <p>CAREER EMPLOYEES</p> <ul style="list-style-type: none"> <li>• If in travel status, then OGC/Ethics will do an ethics travel form to allow them to accept the lunch.</li> <li>• The Cobo Arena is 40.5 miles from Ann Arbor, so any OTAQ/AA employees will NOT be in travel status. For them, OGC/Ethics will have to consider whether we can call just the lunch a widely attended gathering. We'll consider that once we know how much the lunch is.</li> </ul> |
| Reception/Dinner at 6:30 P.M. at the Wright & Co Restaurant 1500 Woodward Avenue Detroit, MI 48226 | Alliance of Automobile manufacturers (is a federally registered lobbyist)    | \$45                                                                    | <p>POLITICAL APPOINTEES</p> <ul style="list-style-type: none"> <li>• Option 1 – OGC/Ethics does an ethics travel form for each political to accept this lunch. We will need to know the value of the meal AND the political appointee cannot also claim per diem on his/her voucher for this meal; or</li> <li>• Option 2 – each political appointee pays out of pocket for the meal and</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

|  |  |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|--|--|--|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  |  |  | <p>then can claim per diem on the voucher.</p> <p>CAREER EMPLOYEES</p> <ul style="list-style-type: none"> <li>In this instance, the gift of free attendance is offered to because of their official position. In analyzing the situation, OGC/Ethics determines that this event is a widely attended gathering (WAG). There will be more than 100 people present representing a diversity of views represented, and there is an opportunity for the exchange of ideas. In order to utilize this gift exception, OGC/Ethics must also make a written determination that we believe your attendance is in the Agency's interest. We do, in fact, conclude that there is an Agency interest in their attendance. No career employee will have to pay for the dinner, but if they are from Ann Arbor, then they will be personally responsible for paying for any parking and mileage costs out of pocket. They will not be able to seek local travel reimbursement for this dinner.</li> </ul> |
|--|--|--|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

I am assuming that it'll be easier for the politicals if OGC/Ethics uses the ethics travel form to accept the meals from the lobbyists. But if we do, then Emily has to be sure to advise the travel preparers not to claim per diem for those meals! And because I don't know the value of the lunch, I didn't do all of the ethics travel forms yet. I can do them all at the same time, once I know the value of the lunch.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

---

**From:** Watkins, Erica

**Sent:** Wednesday, January 03, 2018 10:41 AM

**To:** ethics <ethics@epa.gov>

**Cc:** Fugh, Justina <Fugh.Justina@epa.gov>; Atkinson, Emily <Atkinson.Emily@epa.gov>; Christian, Pamela <Christian.Pamela@epa.gov>

**Subject:** Fwd: Attendance at the 2018 North American International Auto Show and reception/Dinner

Good Morning Ethics Team

I am just writing to check in on the status of this ethics review request

Thanks  
Erica

Sent from my iPhone

Begin forwarded message:

**From:** "Watkins, Erica" <Watkins.Erica@epa.gov>  
**Date:** December 18, 2017 at 10:12:44 AM EST  
**To:** ethics <ethics@epa.gov>  
**Cc:** "Fugh, Justina" <Fugh.Justina@epa.gov>, "Christian, Pamela" <Christian.Pamela@epa.gov>  
**Subject:** Attendance at the 2018 North American International Auto Show and reception/Dinner

Good Morning Ethics team

I am submitting a request for 4 political appointees and 5 career staff to attend the 2018 North American International Auto Show press day and the reception/Dinner.

The following are the details:

Attendees:

- Bill Wehrum – AA will be in travel status
- Mandy Gunasekara, Principle Deputy Administrator OAR will be in travel status
- David Harlow – counselor to the AA will be in travel status
- Clint Woods – Deputy Assistant Administrator OAR will be in travel Status
- Christopher Grundler – OTAQ Office Director
- Leila H Cook – OTAQ Associate Office Director
- Karl Simon – Director Transportation and Climate Division, OTAQ will be in travel status
- David Haugen, Director testing and Advanced technology Division, OTAQ
- Bill Charmley, Director, Assessment and Standards Division OTAQ

Dates:

Press Preview Day – Tuesday January 16, 2018, 7:00 A.M. – 7 P.M.

Events:

- Preview of Auto Show during press Day – This is a free event
- Lunch Provided during Press Day
- Reception/Dinner at 6:30 P.M. at the Wright & Co Restaurant 1500 Woodward Avenue Detroit, MI 48226 – value of the dinner is \$45
- Free tickets to the Auto show for each attendee at Press Preview Day – estimated cost of the pass is \$18

Sponsorship:

- Press Day is organized by the organizers of the Auto Show itself – Detroit Auto Dealers Association (they provide the free pass to each attendee)
- Lunch at Press day is being provided by Global Automakers
- Reception/Dinner is being sponsored by the Alliance of Automobile manufacturers

I am requesting ethics approval for the following:

- Attendance of the Free press preview day and acceptance of the Auto show ticket valued at \$18 sponsored by the Detroit Auto dealers Association
- Acceptance of the lunch provided during the free press day which is sponsored by Global Automakers
- Acceptance of the Reception/Dinner

I have attached information you provided to OTAQ in the past regarding the attendance of this event. We will have Karl Simon fill out the ethics travel form for the event.

During Justina's visit to Ann Arbor she thought it would best to have her handle the travel ethics forms for the political appointees and I would inform Emily Atkinson of this.

Thanks in advance for your assistance

Erica

Erica Watkins  
Immediate Office Room C186  
Office of Transportation and Air Quality  
Ph: 734-214-4415  
Cell: Ex. 6 - Personal Privacy



Message

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**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 1/5/2018 5:35:10 PM  
**To:** McGartland, Al [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5fe25fc1df634f9798675527e0070429-AMcGartl]  
**CC:** Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]; Kime, Robin [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7ef7b76087a6475b80fc984ac2dd4497-RKime]  
**Subject:** RE: Ethics approval for Samantha Dravis

Okay. Just pdf the paper version to us.

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

-----Original Message-----

From: McGartland, Al  
Sent: Friday, January 05, 2018 11:09 AM  
To: Fugh, Justina <Fugh.Justina@epa.gov>  
Subject: Ethics approval for Samantha Dravis

Hi. I just approved a paper copy of an ethics travel form (for meals and lodging) It appears Robin Kime is coordinating with you in processing this paper format.

Hope you had a great New Year.

Sent from my iPhone

Message

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**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 1/9/2018 10:07:40 PM  
**To:** Atkinson, Emily [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bb2155adef6a44aea9410741f0c01d27-Atkinson, Emily]  
**CC:** Lewis, Josh [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b22d1d3bb3f84436a524f76ab6c79d7e-JOLEWIS]; Watkins, Erica [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=13f4969d64f849f1b583efeb476fa9bf-Watkins, Erica]  
**Subject:** RE: Attendance at the 2018 North American International Auto Show and reception/Dinner

Yep! I'm going to take a guess that the lunch is \$25. Will get to the forms later today (I think).

---

**From:** Atkinson, Emily  
**Sent:** Tuesday, January 09, 2018 4:36 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Cc:** Lewis, Josh <Lewis.Josh@epa.gov>; Watkins, Erica <Watkins.Erica@epa.gov>  
**Subject:** RE: Attendance at the 2018 North American International Auto Show and reception/Dinner  
**Importance:** High

Hi Justina,

Bill Wehrum, Mandy Gunasekara, Clint Woods and David Harlow have individually told me they would like to take your recommendation to use the travel ethics form to accept the lunch and reception/dinner gifts.

I will prepare their travel vouchers and will then not claim per diem for either meal.

When the travel ethics forms are completed on your end, could you send me a copy?

Let me know if you need anything else at this point.

Emily

Emily Atkinson  
Management Analyst/Office Manager  
Immediate Office of the Assistant Administrator  
Office of Air and Radiation, USEPA  
Room 5412B, 1200 Pennsylvania Avenue NW  
Washington, DC 20460  
Voice: 202-564-1850  
Email: [atkinson.emily@epa.gov](mailto:atkinson.emily@epa.gov)

---

**From:** Atkinson, Emily  
**Sent:** Monday, January 08, 2018 9:04 AM  
**To:** Harlow, David <[harlow.david@epa.gov](mailto:harlow.david@epa.gov)>; Wehrum, Bill <[Wehrum.Bill@epa.gov](mailto:Wehrum.Bill@epa.gov)>; Gunasekara, Mandy <[Gunasekara.Mandy@epa.gov](mailto:Gunasekara.Mandy@epa.gov)>; Woods, Clint <[woods.clint@epa.gov](mailto:woods.clint@epa.gov)>  
**Cc:** Lewis, Josh <[Lewis.Josh@epa.gov](mailto:Lewis.Josh@epa.gov)>; Watkins, Erica <[Watkins.Erica@epa.gov](mailto:Watkins.Erica@epa.gov)>; Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Subject:** FW: Attendance at the 2018 North American International Auto Show and reception/Dinner  
**Importance:** High

Hi Bill, David, Mandy and Clint,

Please review the options outlined below and let me know by COB today how you would like for Justina to complete your ethics forms for the lunch and reception/dinner at next week's Detroit Auto Show.

At the bottom of Justina's email you will see her recommendation is highlighted.

And OTAQ is working now to confirm the cost of the lunch – it is somewhere between \$18 - \$24.

Thanks.

Emily

Emily Atkinson  
Management Analyst/Office Manager  
Immediate Office of the Assistant Administrator  
Office of Air and Radiation, USEPA  
Room 5412B, 1200 Pennsylvania Avenue NW  
Washington, DC 20460  
Voice: 202-564-1850  
Email: [atkinson.emily@epa.gov](mailto:atkinson.emily@epa.gov)

---

**From:** Fugh, Justina  
**Sent:** Friday, January 05, 2018 10:43 PM  
**To:** Watkins, Erica <[Watkins.Erica@epa.gov](mailto:Watkins.Erica@epa.gov)>  
**Cc:** Atkinson, Emily <[Atkinson.Emily@epa.gov](mailto:Atkinson.Emily@epa.gov)>; Christian, Pamela <[Christian.Pamela@epa.gov](mailto:Christian.Pamela@epa.gov)>; OGC Ethics <[OGC\\_Ethics@epa.gov](mailto:OGC_Ethics@epa.gov)>  
**Subject:** RE: Attendance at the 2018 North American International Auto Show and reception/Dinner

Hi there,

For the upcoming Detroit Auto show, you once again have a mix of employees attending, some of whom will be in travel status while others will not. Set forth below is the ethics analysis for each of the gifts that you identified. Please note that the decisions depended on the employee's type of appointment and whether or not s/he will be in travel status or not.

| ANTICIPATED GIFT                              | SPONSORED BY:                                                                | VALUE                                                                   | ETHICS DETERMINATION                                                                                                                                                                                                     |
|-----------------------------------------------|------------------------------------------------------------------------------|-------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Press Preview Day – Tuesday January 16, 2018. | Detroit Auto Dealers Association (not a federally registered lobbyist)       | \$18 for ticket                                                         | Both career and non career employees may accept this gift. The donor is not a federally registered lobbyist, and the gift is less than \$20. This gift DOES NOT include the lunch, which is sponsored by another entity. |
| Lunch on press preview day                    | Association of Global Automobile Makers (is a federally registered lobbyist) | Unknown. OTAQ needs to find out how much this lunch will be per person. | POLITICAL APPOINTEES <ul style="list-style-type: none"><li>• Option 1 – OGC/Ethics does an ethics travel form for each political to accept this lunch. We</li></ul>                                                      |

|                                                                                                    |                                                                           |      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|----------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------|------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                    |                                                                           |      | <p>will need to know the value of the meal AND the political appointee cannot also claim per diem on his/her voucher for this meal; or</p> <ul style="list-style-type: none"> <li>• Option 2 – each political appointee pays out of pocket for the meal and then can claim per diem on the voucher.</li> </ul> <p>CAREER EMPLOYEES</p> <ul style="list-style-type: none"> <li>• If in travel status, then OGC/Ethics will do an ethics travel form to allow them to accept the lunch.</li> <li>• The Cobo Arena is 40.5 miles from Ann Arbor, so any OTAQ/AA employees will NOT be in travel status. For them, OGC/Ethics will have to consider whether we can call just the lunch a widely attended gathering. We'll consider that once we know how much the lunch is.</li> </ul>                                                        |
| Reception/Dinner at 6:30 P.M. at the Wright & Co Restaurant 1500 Woodward Avenue Detroit, MI 48226 | Alliance of Automobile manufacturers (is a federally registered lobbyist) | \$45 | <p>POLITICAL APPOINTEES</p> <ul style="list-style-type: none"> <li>• Option 1 – OGC/Ethics does an ethics travel form for each political to accept this lunch. We will need to know the value of the meal AND the political appointee cannot also claim per diem on his/her voucher for this meal; or</li> <li>• Option 2 – each political appointee pays out of pocket for the meal and then can claim per diem on the voucher.</li> </ul> <p>CAREER EMPLOYEES</p> <ul style="list-style-type: none"> <li>• In this instance, the gift of free attendance is offered to because of their official position. In analyzing the situation, OGC/Ethics determines that this event is a widely attended gathering (WAG). There will be more than 100 people present representing a diversity of views represented, and there is an</li> </ul> |

|  |  |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|--|--|--|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  |  |  | <p>opportunity for the exchange of ideas. In order to utilize this gift exception, OGC/Ethics must also make a written determination that we believe your attendance is in the Agency's interest. We do, in fact, conclude that there is an Agency interest in their attendance. No career employee will have to pay for the dinner, but if they are from Ann Arbor, then they will be personally responsible for paying for any parking and mileage costs out of pocket. They will not be able to seek local travel reimbursement for this dinner.</p> |
|--|--|--|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

I am assuming that it'll be easier for the politicals if OGC/Ethics uses the ethics travel form to accept the meals from the lobbyists. But if we do, then Emily has to be sure to advise the travel preparers not to claim per diem for those meals! And because I don't know the value of the lunch, I didn't do all of the ethics travel forms yet. I can do them all at the same time, once I know the value of the lunch.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

---

**From:** Watkins, Erica  
**Sent:** Wednesday, January 03, 2018 10:41 AM  
**To:** ethics <[ethics@epa.gov](mailto:ethics@epa.gov)>  
**Cc:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>; Atkinson, Emily <[Atkinson.Emily@epa.gov](mailto:Atkinson.Emily@epa.gov)>; Christian, Pamela <[Christian.Pamela@epa.gov](mailto:Christian.Pamela@epa.gov)>  
**Subject:** Fwd: Attendance at the 2018 North American International Auto Show and reception/Dinner

Good Morning Ethics Team

I am just writing to check in on the status of this ethics review request

Thanks  
Erica

Sent from my iPhone

Begin forwarded message:

**From:** "Watkins, Erica" <[Watkins.Erica@epa.gov](mailto:Watkins.Erica@epa.gov)>  
**Date:** December 18, 2017 at 10:12:44 AM EST  
**To:** ethics <[ethics@epa.gov](mailto:ethics@epa.gov)>

**Cc:** "Fugh, Justina" <Fugh.Justina@epa.gov>, "Christian, Pamela" <Christian.Pamela@epa.gov>  
**Subject:** Attendance at the 2018 North American International Auto Show and reception/Dinner

Good Morning Ethics team

I am submitting a request for 4 political appointees and 5 career staff to attend the 2018 North American International Auto Show press day and the reception/Dinner.

The following are the details:

**Attendees:**

- Bill Wehrum – AA will be in travel status
- Mandy Gunasekara, Principle Deputy Administrator OAR will be in travel status
- David Harlow – counselor to the AA will be in travel status
- Clint Woods – Deputy Assistant Administrator OAR will be in travel Status
- Christopher Grundler – OTAQ Office Director
- Leila H Cook – OTAQ Associate Office Director
- Karl Simon – Director Transportation and Climate Division, OTAQ will be in travel status
- David Haugen, Director testing and Advanced technology Division, OTAQ
- Bill Charmley, Director, Assessment and Standards Division OTAQ

**Dates:**

Press Preview Day – Tuesday January 16, 2018, 7:00 A.M. – 7 P.M.

**Events:**

- Preview of Auto Show during press Day – This is a free event
- Lunch Provided during Press Day
- Reception/Dinner at 6:30 P.M. at the Wright & Co Restaurant 1500 Woodward Avenue Detroit, MI 48226 – value of the dinner is \$45
- Free tickets to the Auto show for each attendee at Press Preview Day – estimated cost of the pass is \$18

**Sponsorship:**

- Press Day is organized by the organizers of the Auto Show itself – Detroit Auto Dealers Association (they provide the free pass to each attendee)
- Lunch at Press day is being provided by Global Automakers
- Reception/Dinner is being sponsored by the Alliance of Automobile manufacturers

I am requesting ethics approval for the following:

- Attendance of the Free press preview day and acceptance of the Auto show ticket valued at \$18 sponsored by the Detroit Auto dealers Association
- Acceptance of the lunch provided during the free press day which is sponsored by Global Automakers
- Acceptance of the Reception/Dinner

I have attached information you provided to OTAQ in the past regarding the attendance of this event. We will have Karl Simon fill out the ethics travel form for the event.

During Justina's visit to Ann Arbor she thought it would best to have her handle the travel ethics forms for the political appointees and I would inform Emily Atkinson of this.

Thanks in advance for your assistance

Erica

Erica Watkins  
Immediate Office Room C186  
Office of Transportation and Air Quality  
Ph:734-214-4415  
Cell: Ex. 6 - Personal Privacy

Message

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**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 9/4/2018 7:13:39 PM  
**To:** Lewis, Josh [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b22d1d3bb3f84436a524f76ab6c79d7e-JOLEWIS]  
**Subject:** RE: heard from ELI

Thanks for the confirmation. It takes a village!

---

**From:** Lewis, Josh  
**Sent:** Tuesday, September 04, 2018 3:01 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** RE: heard from ELI

Yes, just learned the same 30 minutes ago. I emailed Melodie with the revised list of OAR attendees as Bill, Mandy, Clint. So we're good.

---

**From:** Fugh, Justina  
**Sent:** Tuesday, September 04, 2018 2:58 PM  
**To:** Lewis, Josh <[Lewis.Josh@epa.gov](mailto:Lewis.Josh@epa.gov)>  
**Subject:** heard from ELI

Melodie confirms that, so far as ELI is concerned right now, David Harlow has NOT been issued an invitation from them to attend the dinner. If he has an invitation, it's not from ELI. He is not cleared by OGC/Ethics to attend to the ELI dinner.

Justina

Justina Fugh | Director, Ethics Law Office | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772



Message

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**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 9/4/2018 6:56:57 PM  
**To:** Melodie DeMulling [demulling@eli.org]  
**Subject:** RE: David Harlow?

I'll let him know that, so far as you and I are concerned, David is not (yet) invited.

---

**From:** Melodie DeMulling [mailto:demulling@eli.org]  
**Sent:** Tuesday, September 04, 2018 2:28 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** RE: David Harlow?

Hi Justina: Yeah looks like we didn't invite him. My intern takes care of all the invites and she will be back in tomorrow to double check but as far as I can tell, we didn't actually invite him. I can write back to Josh Lewis or if you want to let him know, just let me know.  
Thanks for catching this.

---

**From:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Sent:** Tuesday, September 04, 2018 2:13 PM  
**To:** Melodie DeMulling <demulling@eli.org>  
**Subject:** David Harlow?

Hi there,  
The Chief of Staff for Air and Radiation just told me that he accepted ELI dinner invitations for Bill Wehrum, Mandy Gunasekara, Clint Woods and David Harlow. Harlow is NOT on the list of names you sent to me. Can you please confirm that you all invited David Harlow too?  
Thanks,  
Justina

Justina Fugh | Director, Ethics Law Office | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

Message

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**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 2/27/2018 3:39:55 AM  
**To:** Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]  
**CC:** Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]; Cheatham-Strickland, Latonia [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e0153e074b9640f1b6aa32cfda4f4bf9-Strickland,]  
**Subject:** RE: Ken Wagner's Travel Ethics  
**Attachments:** FILLABLE Ethics Travel Formwagnerfinal2.pdf

Jennie,

Can you please add this ethics travel form to your list of travel forms to process?

Thanks,

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** Cheatham-Strickland, Latonia  
**Sent:** Monday, February 26, 2018 10:29 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Cc:** Wagner, Kenneth <wagner.kenneth@epa.gov>  
**Subject:** Ken Wagner's Travel Ethics

Justina,

Here is the form.

Best Regards,

Latonia

Latonia Cheatham Strickland  
Special Assistant to the Senior Advisor  
for Regional and State Affairs  
Office of Congressional & Intergovernmental Relations  
U.S. Environmental Protection Agency  
Office Phone: (202) 564-7930  
EPA Cellphone: Ex. 6 - Personal Privacy  
[Cheatham-strickland.latonia@epa.gov](mailto:Cheatham-strickland.latonia@epa.gov)

Message

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**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 12/28/2017 5:40:35 PM  
**To:** Jackson, Ryan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=38bc8e18791a47d88a279db2fec8bd60-Jackson, Ry]  
**Subject:** RE: You're Invited to API's State of American Energy 2018

Hi Ryan,

You asked me to look into how much you would have to pay to attend the API State of American Energy luncheon in 2018. Because you signed the Trump Ethics Pledge, you agreed that you will not accept any gifts, including free attendance, from a federally registered lobbyist. In order to attend this event, you will have to pay out of personal pocket (not EPA funds). I have already contacted API, and learned that the total monetary value of your attendance is \$49.26 to cover:

- \$45.00 – Food/Refreshments
- Giveaways:
  - \$1.54 – screen wipe
  - \$2.15 – button
  - \$.57 - pen

If you decline the swag bag, then you can write a check for \$45 only. I have asked API to whom to give the check (presumably written out to API), but have not yet heard back. If I hear nothing, then just can give it to any API person at the event and then send me an email verifying that you've done so.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** Jackson, Ryan  
**Sent:** Wednesday, November 29, 2017 11:11 AM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** RE: You're Invited to API's State of American Energy 2018

I'd like to try to go.

---

**From:** Fugh, Justina  
**Sent:** Wednesday, November 29, 2017 11:09 AM  
**To:** Jackson, Ryan <jackson.ryan@epa.gov>  
**Subject:** RE: You're Invited to API's State of American Energy 2018

Hi Ryan,

Alas, you can't go for free. API is a federally registered lobbyist, and under the Trump Ethics Pledge, you have agreed not to accept any gift – including free attendance at a reception – from a lobbyist. So if you want to go, then I will have to contact API to ascertain the price per person for the caterer, etc. and then you will need to pay that amount out of your pocket.

Later today, I'll be sending out a reminder to all political staff about these holiday parties.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** Jackson, Ryan  
**Sent:** Wednesday, November 29, 2017 11:06 AM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Subject:** Fwd: You're Invited to API's State of American Energy 2018

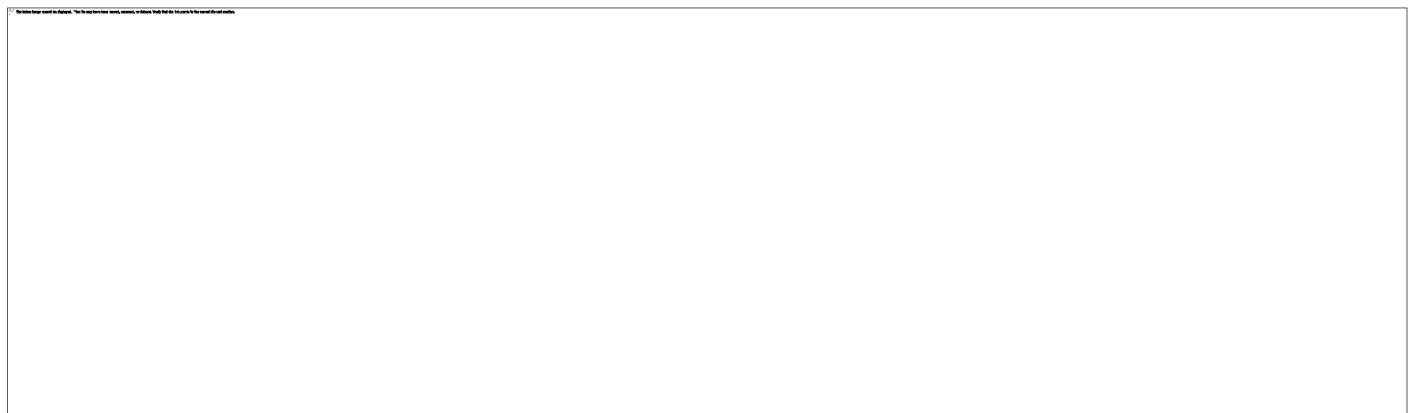
Can I go to this?

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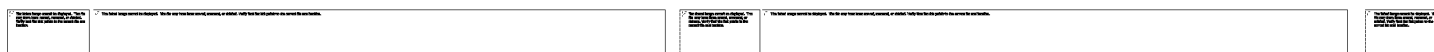
Ryan Jackson  
Chief of Staff  
U.S. EPA  
(202) 564-6999

Begin forwarded message:

**From:** "Jack Gerard" <[registrar@api.org](mailto:registrar@api.org)>  
**Date:** November 29, 2017 at 10:32:14 AM EST  
**To:** "Ryan Jackson" <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>  
**Subject:** You're Invited to API's State of American Energy 2018  
**Reply-To:** [registrar@api.org](mailto:registrar@api.org)



STATE OF AMERICAN ENERGY 2018 | HOW NATURAL GAS & OIL ARE POWERING PAST IMPOSSIBLE



**Please join us for the American  
Petroleum Institute's 2018 State of**

**RSVP**  
BY DECEMBER 22<sup>ND</sup>

**American Energy luncheon.** As the midterm election year begins we will remind lawmakers, policymakers and the public that America's domestic energy abundance is helping to meet the ever-growing demand for energy, but also how those same resources are the building blocks for many of the products that make our modern society safer, advance the medical arts, and spur creativity and scientific innovation through our **Power Past Impossible** advertising campaign.

From energy that keeps our homes, offices, and schools lit and warm, to the modern fuels that not only power our vehicles but also help to improve our environment, to the modern pharmaceuticals that improve the health and well-being of millions. Power Past Impossible makes the connection between natural gas, oil and their derived products and their fundamental role in our society, which is essential to positively advance the national energy policy discussion.

Sincerely,

**JACK N. GERARD**  
President and CEO, API

This invitation is non-transferable.

## When

TUESDAY, JANUARY 9, 2018  
11:30 A.M.-1:00 P.M.

## Where

Ronald Reagan Building and  
International Trade Center  
Atrium Ballroom  
1300 Pennsylvania Avenue, NW  
Washington, DC 20004

Please use entrance on 14th Street

This event has been designed to comply with the gifts and ethics rules of the U.S. Senate and House of Representatives as a "widely attended event." Employees of the executive branch may wish to consult their Designated Agency Ethics Official about any rules that may apply to their attendance at this event.

powered by  
**cvent**

Message

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**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 12/13/2017 12:15:18 AM  
**To:** Bolen, Brittany [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=31e872a691114372b5a6a88482a66e48-Bolen, Brit]  
**Subject:** Re: Request to attend event on 12/14

Hi Brittany,  
I'll start with an email to Jay Timmons (I'm assuming that's a Mr. Timmons as opposed to a Ms. Timmons?). If I run into a hurdle, will let you know!  
Justina

Sent from my iPhone

On Dec 12, 2017, at 7:12 PM, Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)> wrote:

Justina,  
The invitation I copied below was emailed to me by [Jay.W.Timmons@nam.org](mailto:Jay.W.Timmons@nam.org). There was not a phone number included. I can certainly provide contact information for another representative of NAM. Please let me know if additional points of contact would help answer your question.  
Thanks,  
Brittany

On Dec 12, 2017, at 6:59 PM, Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)> wrote:

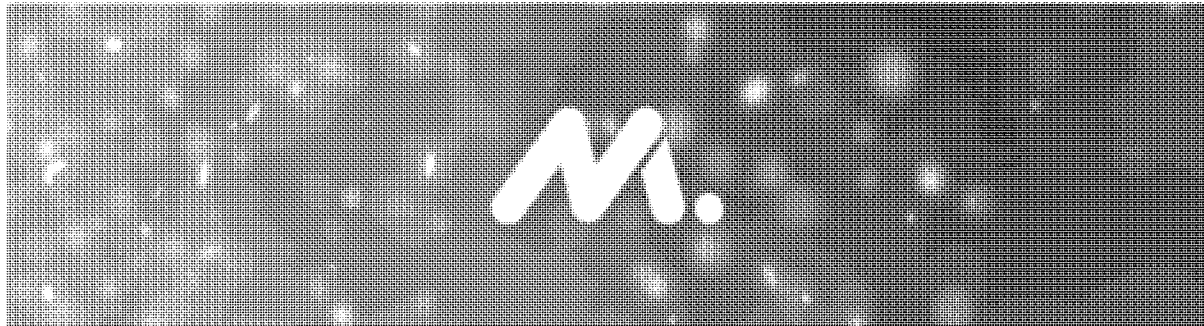
Brittany,  
Do you have any contact information? We can't ascertain the per person price unless we talk to the NAM, which is a federally registered lobbyist. And if we can't find someone to answer our question, then you can't be ethically permitted to go.  
Justina

Sent from my iPhone

On Dec 12, 2017, at 1:36 PM, Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)> wrote:

Hi Justina –  
Per your guidance below, I am requesting approval to attend a holiday event being hosted by the National Association of Manufacturers this Thursday, December 14. A copy of the invitation I received is pasted below. Please advise me on next steps, including the amount I will personally need to pay to attend this event in accordance with my ethics requirements.  
Thank you,  
Brittany

Can't  
see the  
images?  
[View it  
online.](#)



Jay Timmons and the National  
Association of Manufacturers invite  
you to the official holiday celebration  
for manufacturers in America. Join us  
to toast the people who are creating  
the future.

**DECEMBER 14**

**5:00 - 8:00 P.M.**

NAM HEADQUARTERS  
733 10TH STREET NW,  
SUITE 700  
WASHINGTON, DC 20001



**Please RSVP by December 4**

This event has been designed to meet the "reception  
exception" as stated by the Senate Select Ethics and  
House Ethics Committees. Invitation is non-  
transferable.

# CREATORS WANTED

---

**From:** Fugh, Justina

**Sent:** Friday, December 1, 2017 4:02 PM

**To:** Bennett, Tate <[Bennett.Tate@epa.gov](mailto:Bennett.Tate@epa.gov)>; Bolen, Derrick <[bolen.derrick@epa.gov](mailto:bolen.derrick@epa.gov)>; Burke, Marcella <[burke.marcella@epa.gov](mailto:burke.marcella@epa.gov)>; Cory, Preston (Katherine) <[Cory.Preston@epa.gov](mailto:Cory.Preston@epa.gov)>; Darwin, Henry <[darwin.henry@epa.gov](mailto:darwin.henry@epa.gov)>; Falvo, Nicholas <[falvo.nicholas@epa.gov](mailto:falvo.nicholas@epa.gov)>; Ford, Hayley <[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)>; Greenwalt, Sarah <[greenwalt.sarah@epa.gov](mailto:greenwalt.sarah@epa.gov)>; Hupp, Millan <[hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)>; Konkus, John <[konkus.john@epa.gov](mailto:konkus.john@epa.gov)>; Lovell, Will (William) <[lovell.william@epa.gov](mailto:lovell.william@epa.gov)>; McMurray, Forrest <[mcmurray.forrest@epa.gov](mailto:mcmurray.forrest@epa.gov)>; Munoz, Charles <[munoz.charles@epa.gov](mailto:munoz.charles@epa.gov)>; Palich, Christian <[palich.christian@epa.gov](mailto:palich.christian@epa.gov)>; Ringel, Aaron <[ringel.aaron@epa.gov](mailto:ringel.aaron@epa.gov)>; Rodrick, Christian <[rodrick.christian@epa.gov](mailto:rodrick.christian@epa.gov)>; Sands, Jeffrey <[sands.jeffrey@epa.gov](mailto:sands.jeffrey@epa.gov)>; Schwab, Justin <[Schwab.Justin@epa.gov](mailto:Schwab.Justin@epa.gov)>; Shimmin, Kaitlyn <[shimmin.kaitlyn@epa.gov](mailto:shimmin.kaitlyn@epa.gov)>; Stepp, Cathy <[stepp.cathy@epa.gov](mailto:stepp.cathy@epa.gov)>; Baptist, Erik <[baptist.erik@epa.gov](mailto:baptist.erik@epa.gov)>; Benevento, Douglas <[benevento.douglas@epa.gov](mailto:benevento.douglas@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Bowman, Liz <[Bowman.Liz@epa.gov](mailto:Bowman.Liz@epa.gov)>; Chmielewski, Kevin <[chmielewski.kevin@epa.gov](mailto:chmielewski.kevin@epa.gov)>; Darwin, Henry <[darwin.henry@epa.gov](mailto:darwin.henry@epa.gov)>; Dravis, Samantha <[dravis.samantha@epa.gov](mailto:dravis.samantha@epa.gov)>; Forsgren, Lee <[Forsgren.Lee@epa.gov](mailto:Forsgren.Lee@epa.gov)>; Fotouhi, David <[Fotouhi.David@epa.gov](mailto:Fotouhi.David@epa.gov)>; Glenn, Trey <[Glenn.Trey@epa.gov](mailto:Glenn.Trey@epa.gov)>; Greaves, Holly <[greaves.holly@epa.gov](mailto:greaves.holly@epa.gov)>; Gulliford, Jim <[gulliford.jim@epa.gov](mailto:gulliford.jim@epa.gov)>; Harlow, David <[harlow.david@epa.gov](mailto:harlow.david@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Kelly, Albert <[kelly.albert@epa.gov](mailto:kelly.albert@epa.gov)>; Lopez, Peter <[lopez.peter@epa.gov](mailto:lopez.peter@epa.gov)>; Lyons, Troy <[lyons.troy@epa.gov](mailto:lyons.troy@epa.gov)>; Servidio, Cosmo <[Servidio.Cosmo@epa.gov](mailto:Servidio.Cosmo@epa.gov)>; Traylor, Patrick <[traylor.patrick@epa.gov](mailto:traylor.patrick@epa.gov)>; Wagner, Kenneth



<[wagner.kenneth@epa.gov](mailto:wagner.kenneth@epa.gov)>; Yamada, Richard (Yujiro)  
<[yamada.richard@epa.gov](mailto:yamada.richard@epa.gov)>; Wehrum, Bill <[Wehrum.Bill@epa.gov](mailto:Wehrum.Bill@epa.gov)>;  
Bodine, Susan <[bodine.susan@epa.gov](mailto:bodine.susan@epa.gov)>; Dourson, Michael  
<[dourson.michael@epa.gov](mailto:dourson.michael@epa.gov)>  
Cc: ethics <[ethics@epa.gov](mailto:ethics@epa.gov)>; Minoli, Kevin <[Minoli.Kevin@epa.gov](mailto:Minoli.Kevin@epa.gov)>  
Subject: Dear OGC/Ethics -- May I Attend This Holiday Party?

Reminder for Political Appointees  
Don't Assume You Can Accept Invitations  
To Seasonal Celebrations and Other  
Receptions  
— **Always Ask!**

Dear EPA political appointees –

I'm writing to remind you about your obligations under the Trump Ethics Pledge that you signed. We know it's that festive time of year when you may be invited to go to holiday receptions and parties, so the EPA ethics elves are sending you this reminder to be careful.

**What's a gift?**

In your initial ethics briefing, you learned about the gift rules in the Standards of Conduct and the additional restrictions imposed upon you by the Trump Ethics Pledge that you signed when you joined EPA. As a federal employee, you cannot accept a gift that is offered to you because of your official position or from a prohibited source. "Gift" is defined to include gratuities, favors, discounts, entertainment, hospitality and other items having monetary value. The definition is very broad, and it encompasses free attendance at the kinds of dinners, receptions and other networking events that are common in D.C., particularly during the holiday season.

**What's the rule?**

You are prohibited from accepting any gift (including invitations to holiday parties) from a federally registered lobbyist. Even if the invitation says that it's a "widely attended gathering" or that it meets the Congressional ethics rules, don't assume you can go. You're an EPA political appointee, so you must get written approval from OGC/Ethics before you go to the event. When you send the invitation to OGC/Ethics, the first thing we will do is determine whether the sponsor of the event is a federally registered lobbyist.

- **Event is sponsored by a federally registered lobbyist**

In this case, the Lobbyist Gift Ban applies. When you signed the pledge, you promised not to accept gifts from federally registered lobbyists. The common exception for a "widely attended gathering" (WAG) does not apply to invitations from and events sponsored by

federally registered lobbyists. YOU CAN NEVER ACCEPT THE GIFT OF FREE ATTENDANCE TO A WAG FROM A FEDERALLY REGISTERED LOBBYIST.

If the event is sponsored by a federally registered lobbyist, but you really want to attend ...

then you will need to work closely with OGC/Ethics to pay personally out of your pocket. It's not enough to say that you'll pay for your drinks and won't eat. The rule is that you can't even go to the event unless you pay personally for the cost per person. So, upon request, OGC/Ethics will contact the sponsor to determine the cost per person that will have to pay, and to whom. We want to help you document your payment so that you can show you have not violated the Trump Ethics Pledge.

- **Event is not sponsored by a federally registered lobbyist**

In this case, OGC/Ethics will determine if the "Widely Attended Gathering" (WAG) exception applies to permit your attendance. The WAG exception allows ethics officials to approve an employee's acceptance of free attendance upon a written determination that your attendance furthers an agency interest. In order for OGC/Ethics to clear your attendance, there must be a large number of people attending the event as well as a diversity of views or interests among those attending. If the offer to attend is from the sponsor of the event, there is no limit on the value of the event. If the offer of free attendance comes from someone other than the sponsor, then the value of the gift (your attendance and your spouse's, if applicable) cannot exceed \$390. Should your ethics official determines that you may accept the gift and attend, you will do so in your personal capacity and not on government time. And you may have to disclose the gift on your OGE-278, depending on its value. OGC/Ethics will let you know whether you have to report the gift when we notify you that it has been approved.

**What should you do in each and every case?**

**Contact OGC/Ethics BEFORE attending.** Send an email to [ethics@epa.gov](mailto:ethics@epa.gov) and provide us with a copy of the invitation and as much information as you can regarding the event.

Thanks for your attention to ethics issues!  
Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772



Message

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**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 10/23/2017 3:43:46 AM  
**To:** Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]  
**Subject:** RE: Join Us in Ponte Vedra Beach for Vinyl360!  
**Attachments:** paper ET blank form.pdf

Hi Ken,

Thanks for asking! Sure, I can accept the travel expenses associated with this trip for you. If Gail Davis does your travel for you, then just tell her that you need an ethics travel form completed (she knows to contact me so that I can finish it up for you from my end). If, however, you don't have Gail, then the easiest thing to do for you is to print out this attached form and then write in the necessary information. Sign it and then send it back to me by pdf. Be sure to take care of this before the trip, though!

Cheers,

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

---

**From:** Wagner, Kenneth  
**Sent:** Tuesday, October 17, 2017 10:07 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** Fwd: Join Us in Ponte Vedra Beach for Vinyl360!

I was invited to speak at this event and they have offered to pay my travel...so I'm letting you know and decide....

Those four ethics briefings are really paying off!

**Kenneth E. Wagner**  
*Senior Advisor to the Administrator*  
*For Regional and State Affairs*  
**U S Environmental Protection Agency**  
**202-564-1988 office**  
**202-309-2418 cell**  
**wagner.kenneth@epa.gov**

Begin forwarded message:

**From:** Stuart Jolly <Stuart.A.Jolly@comcast.net>  
**Date:** October 17, 2017 at 10:59:01 PM EDT  
**To:** Ken Wagner <wagner.kenneth@epa.gov>  
**Subject:** Join Us in Ponte Vedra Beach for Vinyl360!



July 12, 2017

SHARE:  



It's Vinyl360 time.

Join your colleagues from across the vinyl value chain November 8-9 for a conference featuring global trends and targeted insights.

The highlight of this year's conference will be a conversation on sustainability. You will receive an update on the vinyl industry's sustainable development path and get an exclusive first look at the results of the industry-wide materiality analysis. Plus don't miss your opportunity to learn about the development of goals and key performance indicators for each market segment.

**Plus hear how one man went from activist to vinyl advocate.**




Our Vinyl360 keynote speaker will be Patrick Moore, co-founder of Greenpeace. Moore will talk about how and why his perceptions of vinyl have shifted over time.

In addition to Moore's remarks and the discussion of vinyl sustainability efforts, you will receive an economic vinyl industry outlook and an update on key legislative and regulatory developments. In addition, you will have an

opportunity to learn from retailers what activists are demanding and what retailers need from their suppliers.

Registration for Vinyl360 is now open. Sign up today to learn from the experts and network with your peers at the luxury Sawgrass Marriott Golf Spa & Resort.

1747 Pennsylvania Ave, NW, Suite 825 Washington, DC 20006  
Phone 202.765.2200 | Fax 202.765.2275 | [info@vinylinfo.org](mailto:info@vinylinfo.org)  
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Please join us for the 2017 Vinyl360 Annual Conference on November 8-10 in Ponte Vedra Beach, FL at the Sawgrass Marriott Golf Spa and Resort. [Register here.](#)

Message

---

**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 11/22/2017 12:17:30 AM  
**To:** Willis, Sharnett [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=97b55bdfac5e41d8aa81064dfa2cb944-Willis, Sharnett]  
**Subject:** FW: Henry Darwin's Ethics Form for a Speaking Engagement  
**Attachments:** image2017-11-03-041308.pdf; Darwin draft travel form.pdf

So what did the Vinyl Institute pay for? Just his lodging for the one night, or also for the airfare? If just the lodging, how much was it? I've attached the draft ethics travel approval, but I still need the details about what I'm accepting, okay?

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

---

**From:** Willis, Sharnett  
**Sent:** Friday, November 03, 2017 4:15 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** Henry Darwin's Ethics Form for a Speaking Engagement

Good Afternoon Justina,

Attached is the Ethics form for Henry. Please give me a call if I'm missing anything.

Thanks.

Sharnett Willis  
Office of the Administrator  
202/564-7866

**From:** [DC-WJCN-3402-M@epa.gov](mailto:DC-WJCN-3402-M@epa.gov) [mailto:DC-WJCN-3402-M@epa.gov]  
**Sent:** Friday, November 03, 2017 4:13 AM  
**To:** Willis, Sharnett <[Willis.Sharnett@epa.gov](mailto:Willis.Sharnett@epa.gov)>  
**Subject:**

Message

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**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 11/29/2017 4:13:16 PM  
**To:** Jackson, Ryan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=38bc8e18791a47d88a279db2fec8bd60-Jackson, Ry]  
**Subject:** RE: You're Invited to API's State of American Energy 2018

Okay. I will find out what the lunch price is and arrange for you to pay.

---

**From:** Jackson, Ryan  
**Sent:** Wednesday, November 29, 2017 11:11 AM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** RE: You're Invited to API's State of American Energy 2018

I'd like to try to go.

---

**From:** Fugh, Justina  
**Sent:** Wednesday, November 29, 2017 11:09 AM  
**To:** Jackson, Ryan <jackson.ryan@epa.gov>  
**Subject:** RE: You're Invited to API's State of American Energy 2018

Hi Ryan,

Alas, you can't go for free. API is a federally registered lobbyist, and under the Trump Ethics Pledge, you have agreed not to accept any gift – including free attendance at a reception – from a lobbyist. So if you want to go, then I will have to contact API to ascertain the price per person for the caterer, etc. and then you will need to pay that amount out of your pocket.

Later today, I'll be sending out a reminder to all political staff about these holiday parties.  
Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

---

**From:** Jackson, Ryan  
**Sent:** Wednesday, November 29, 2017 11:06 AM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** Fwd: You're Invited to API's State of American Energy 2018

Can I go to this?

---

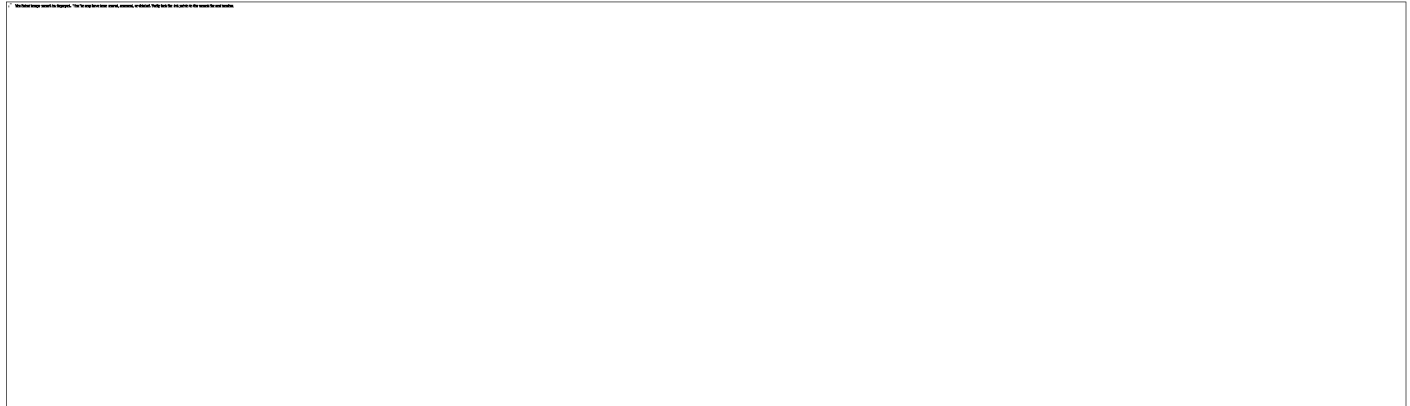
Ryan Jackson  
Chief of Staff



U.S. EPA  
(202) 564-6999

Begin forwarded message:

**From:** "Jack Gerard" <[registrar@api.org](mailto:registrar@api.org)>  
**Date:** November 29, 2017 at 10:32:14 AM EST  
**To:** "Ryan Jackson" <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>  
**Subject:** You're Invited to API's State of American Energy 2018  
**Reply-To:** [registrar@api.org](mailto:registrar@api.org)



STATE OF AMERICAN ENERGY 2018 | HOW NATURAL GAS & OIL ARE POWERING PAST IMPOSSIBLE



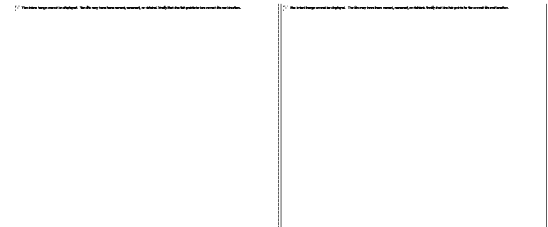
**Please join us for the American Petroleum Institute's 2018 State of American Energy luncheon.** As the midterm election year begins we will remind lawmakers, policymakers and the public that America's domestic energy abundance is helping to meet the ever-growing demand for energy, but also how those same resources are the building blocks for many of the products that make our modern society safer, advance the medical arts, and spur creativity and scientific innovation through our **Power Past Impossible** advertising campaign.

From energy that keeps our homes, offices, and schools lit and warm, to the modern fuels that not only power our vehicles but also help to improve our



**RSVP**  
BY DECEMBER 22<sup>ND</sup>

This invitation is non-transferable.



**When**  
TUESDAY, JANUARY 9, 2018  
11:30 A.M.-1:00 P.M.



environment, to the modern pharmaceuticals that improve the health and well-being of millions. Power Past Impossible makes the connection between natural gas, oil and their derived products and their fundamental role in our society, which is essential to positively advance the national energy policy discussion.

Sincerely,

**JACK N. GERARD**  
President and CEO, API

## Where

Ronald Reagan Building and  
International Trade Center  
Atrium Ballroom  
1300 Pennsylvania Avenue, NW  
Washington, DC 20004

Please use entrance on 14th Street

This event has been designed to comply with the gifts and ethics rules of the U.S. Senate and House of Representatives as a "widely attended event." Employees of the executive branch may wish to consult their Designated Agency Ethics Official about any rules that may apply to their attendance at this event.

powered by  
**cvent**

Message

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**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 12/6/2017 1:24:34 AM  
**To:** Abboud, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b6f5af791a1842f1adcc088cbf9ed3ce-Abboud, Mic]  
**CC:** Konkus, John [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=555471b2baa6419e8e141696f4577062-Konkus, Joh]  
**Subject:** RE: Holiday Reception

Hi Michael,

I see that you copied John Konkus, so let's be sure to remind ourselves that the rules that apply to you (as an AD) are a little different from the rules that apply to John (who signed the Trump ethics pledge and therefore cannot accept any gift from a federally registered lobbyist). That said, in this particular instance, the donor is not a federally registered lobbyist, so I can make a determination that applies to both of you.

Since only an ethics official can decide if an event qualifies as "widely attended," you are quite correct to ask. I anticipate that this event will indeed meet the criteria set forth at 5 CFR 2635.204(g)(2) (under the regs effective 1/1/17) to be widely attended. I think it's fair to surmise that the event will attract more than 20 people who represent a diversity of interests (e.g., Congress, executive branch, nonprofit, private sector). I determine that your attendance furthers an agency interest.

But remember that, because the event takes place after business hours, you will be attending in your personal capacity only so cannot ask EPA to pay for any local transportation costs or parking associated with your attendance. And I am guessing that the value per person for the widely attended gathering is less than \$390 per person, so you will not need to be reporting on your financial disclosure report.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

---

**From:** Abboud, Michael  
**Sent:** Tuesday, December 05, 2017 1:49 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Cc:** Konkus, John <konkus.john@epa.gov>  
**Subject:** FW: Holiday Reception

Hey Justina, John and I got this invite for the holiday party for the Western Caucus Foundation. We have worked with some of these Congressional members' staff on shared policy goals, and were looking for clarity on whether we can go to this widely attended gathering. Thanks!

Michael Abboud  
U.S. Environmental Protection Agency  
Office of Public Affairs  
M: 202-564-6461

---

**From:** Western Caucus Foundation [<mailto:info@westerncaucusfoundation.org>]  
**Sent:** Tuesday, December 5, 2017 1:05 PM  
**To:** Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>  
**Subject:** Holiday Reception

Join us for our Holiday Reception!

## Holiday Reception

With our invited guests: Members of the Senate and  
Congressional Western Caucuses

Wednesday, December 13, 2017  
5:00 pm - 7:00 pm

At the Hotel George in Washington, D.C.

# Western Caucus Foundation Holiday Reception

5:00PM - 7:00PM

DECEMBER

—13—

2017 EVENING

Hotel George  
15 E Street NW  
Washington, DC 20001



RSVP HERE!

*The Western Caucus Foundation (WCF), a 501 (c)(3), is a cultural exchange organization committed to educating public policy makers and communicating with the public in an effort to enhance, sustain, and preserve the West's dynamic and unique culture. The Foundation provides support, education, and networking opportunities to advance the public policies important to the West, and offers members a non-partisan and non-political organization to facilitate discussion of critical Western issues through a robust agenda of meetings, conferences, and programs.*

*To learn more about the Western Caucus Foundation please*

*visit: <http://westerncaucusfoundation.org>*

Like us on Facebook at [www.facebook.com/westerncaucusfoundation/](http://www.facebook.com/westerncaucusfoundation/)  
and follow us on twitter [@WestCaucusFoundReception](https://twitter.com/WestCaucusFoundReception) to Celebrate

---

Western Caucus Foundation | 400 N. Capitol St., #382-B | Washington, DC | 20001

Unsubscribe

Message

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**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 8/29/2018 6:34:17 PM  
**To:** Melodie DeMulling [demulling@eli.org]  
**CC:** Campbell Knobloch [knobloch@eli.org]  
**Subject:** RE: 2018 ELI Award Dinner

Okay!

---

**From:** Melodie DeMulling [mailto:demulling@eli.org]  
**Sent:** Wednesday, August 29, 2018 2:27 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Cc:** Campbell Knobloch <knobloch@eli.org>  
**Subject:** RE: 2018 ELI Award Dinner

May I also invite Lisa Goldman, International Environmental Law at Environmental Protection Agency, Office of General Counsel

---

**From:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Sent:** Wednesday, August 29, 2018 2:25 PM  
**To:** Melodie DeMulling <demulling@eli.org>  
**Cc:** Campbell Knobloch <knobloch@eli.org>  
**Subject:** RE: 2018 ELI Award Dinner

Hi,  
Byron Brown, whom you had invited earlier, has since left EPA. With respect to the people on the "pending" list, once you confirm that you want them in their EPA jobs (whatever that might be), please reconfirm with me and go ahead and invite them. I'll issue the approval.  
Best,  
Justina

Justina Fugh | Director, Ethics Law Office | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

---

**From:** Melodie DeMulling [mailto:demulling@eli.org]  
**Sent:** Wednesday, August 29, 2018 2:10 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Cc:** Campbell Knobloch <knobloch@eli.org>  
**Subject:** RE: 2018 ELI Award Dinner

Thanks Justina! I figured you would not be able to accept but maybe sometime we will actually get to meet!  
I can have my intern look into these folks a bit more and do some research. If Yamada is leaving, we won't extend an invite but for all the others, once we find correct titles, we are free to do so?

Thanks, Melodie

---

**From:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Sent:** Wednesday, August 29, 2018 2:07 PM  
**To:** Melodie DeMulling <[demulling@eli.org](mailto:demulling@eli.org)>  
**Subject:** RE: 2018 ELI Award Dinner

Thanks, Melodie! How lovely of you guys to extend an invitation to me! I won't make a determination about my own attendance, though, so let's just remove me from the list. But you know what they say: it's an honor just to be nominated! Take a look at my edits below:

|                           |                                                                    |                                                                                          |
|---------------------------|--------------------------------------------------------------------|------------------------------------------------------------------------------------------|
|                           |                                                                    |                                                                                          |
| Mr. Erik Baptist          | Senior Deputy General Counsel                                      | He is now Senior Counsel in OCSPP                                                        |
| Ms. Dominique Lueckenhoff | Acting Director, Water Protection Division, Region 3               | Isn't she the Deputy Director, not the Acting Director? Do you need me to check for you? |
| Ms. Cheryl Seager         | Director, Compliance Assurance and Enforcement Division            | She's in Region 6                                                                        |
| Dr. Richard Yamada        | Deputy Assistant Administrator, Office of Research and Development | I heard he's leaving EPA in a couple of weeks.                                           |

I'll notify everyone except these people about the invitation. Just please confirm what you want to do about these people, okay?

Cheers,  
Justina

Justina Fugh | Director, Ethics Law Office | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** Melodie DeMulling [<mailto:demulling@eli.org>]  
**Sent:** Wednesday, August 29, 2018 1:56 PM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Subject:** RE: 2018 ELI Award Dinner

Hi Justina: Forgot Phillip Brooks. Please include him as well.

---

**From:** Melodie DeMulling  
**Sent:** Tuesday, August 28, 2018 5:04 PM  
**To:** 'Fugh, Justina' <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Subject:** RE: 2018 ELI Award Dinner

Hi Justina: Time for me to add some more names. Scott (Fulton) wanted to invite Aaron because he did feel like he has been helpful in getting us in contact with speakers for events and such but if you say he can't come, that is fine by us.



Same for you I'm guessing? Perhaps you'd be able to come to the Dinner? If not, that is fine as well, just wanted to extend the invite if we could. Let me know your thoughts on these below.

Thanks, Melodie

|                    |              |                                                                                           |                                      |
|--------------------|--------------|-------------------------------------------------------------------------------------------|--------------------------------------|
| Dr. Tina Bahadori  | Dr. Bahadori | Director, National Center for Environmental Assessment                                    | U.S. Environmental Protection Agency |
| Mr. Erik Baptist   | Mr. Baptist  | Senior Deputy General Counsel                                                             | U.S. Environmental Protection Agency |
| Ms. Nancy Beck     | Ms. Beck     | Deputy Assistant Administrator, Office of Chemical Safety and Pollution Prevention        | U.S. Environmental Protection Agency |
| Ms. Brittany Bolen | Ms. Bolen    | Associate Administrator, Office of Policy                                                 | U.S. Environmental Protection Agency |
| Mr. Barry Breen    | Mr. Breen    | Acting Assistant Administrator, Office of Land and Energy Management                      | U.S. Environmental Protection Agency |
| Ms. Apple Chapman  | Ms. Chapman  | Deputy Director, Air Enforcement Division, Office of Enforcement and Compliance Assurance | U.S. Environmental Protection Agency |
| Mr. Steven Cook    | Mr. Cook     | Deputy Assistant Administrator, Office of Land and Emergency Management                   | U.S. Environmental Protection Agency |
| Mr. Henry Darwin   | Mr. Darwin   | Chief of Operations                                                                       | U.S. Environmental Protection Agency |
| Mr. Mark Dyner     | Mr. Dyner    | Office of General Counsel                                                                 | U.S. Environmental Protection Agency |
| Mr. David Fotouhi  | Mr. Fotouhi  | Deputy General Counsel                                                                    | U.S. Environmental Protection Agency |
| Ms. Justina Fugh   | Ms. Fugh     | Senior Counsel for Ethics, Office of General Counsel                                      | U.S. Environmental Protection Agency |

|                           |                 |                                                                                  |                                      |
|---------------------------|-----------------|----------------------------------------------------------------------------------|--------------------------------------|
| Mr. Christopher Grundler  | Mr.Grundler     | Director, Office of Transportation Air Quality                                   | U.S. Environmental Protection Agency |
| Ms. Mandy Gunasekara      | Ms. Gunasekara  | Principal Deputy Assistant Administrator, Office of Air and Radiation            | U.S. Environmental Protection Agency |
| Mr. Mark Hartman          | Mr. Hartman     | Acting Deputy Director for Management, Office of Pollution Prevention and Toxics | U.S. Environmental Protection Agency |
| Mr. Ben Hengst            | Mr. Hengst      | Associate Director, Office of Transportation and Air Quality                     | U.S. Environmental Protection Agency |
| Dr. Tala Henry            | Dr. Henry       | Acting Deputy Director for Programs, Office of Pollution Prevention and Toxics   | U.S. Environmental Protection Agency |
| Mr. Rick Keigwin          | Mr. Keigwin     | Director, Director's Office, Pesticide Programs                                  | U.S. Environmental Protection Agency |
| Ms. Rosemarie Kelley      | Ms. Kelley      | Director, Office of Civil Enforcement                                            | U.S. Environmental Protection Agency |
| Ms. Robin Kime            | Ms. Kime        | Acting Deputy Associate Administrator, Office of Policy                          | U.S. Environmental Protection Agency |
| Mr. Peter Lopez           | Mr. Lopez       | Regional Administrator - Region 2                                                | U.S. Environmental Protection Agency |
| Ms. Dominique Lueckenhoff | Ms. Lueckenhoff | Acting Director, Water Protection Division, Region 3                             | U.S. Environmental Protection Agency |
| Mr. John Michaud          | Mr. Michaud     | Associate General Counsel, Solid Waste and Emergency Response Law Office         | U.S. Environmental Protection Agency |
| Dr. Jeff Morris           | Dr. Morris      | Director, Office of Pollution Prevention and Toxics                              | U.S. Environmental Protection Agency |
| Ms. Patricia Overmeyer    | Ms. Overmeyer   | Acting Deputy Director, Office of Brownfields and Land Revitalization            | U.S. Environmental Protection Agency |
| Ms. Sylvia Quast          | Ms. Quast       | Regional Counsel - Region 9                                                      | U.S. Environmental Protection Agency |
| Mr. Justin Schwab         | Mr. Schwab      | Deputy General Counsel, Office of General Counsel                                | U.S. Environmental Protection Agency |

|                        |               |                                                                                                        |                                      |
|------------------------|---------------|--------------------------------------------------------------------------------------------------------|--------------------------------------|
| Ms. Cheryl Seager      | Ms. Seager    | Director, Compliance Assurance and Enforcement Division                                                | U.S. Environmental Protection Agency |
| Mr. Cosmo Servidio     | Mr. Servidio  | Regional Administrator - Region 3                                                                      | U.S. Environmental Protection Agency |
| Ms. Betsy Shaw         | Ms. Shaw      | Deputy Assistant Administrator, Office of Air and Radiation                                            | U.S. Environmental Protection Agency |
| Mr. Karl Simon         | Mr. Simon     | Director, Transportation and Climate Division, Office of Transportation and Air Quality                | U.S. Environmental Protection Agency |
| Mr. Lawrence Starfield | Mr. Starfield | Principal Deputy Assistant Administrator, Office of Enforcement and Compliance Assurance               | U.S. Environmental Protection Agency |
| Ms. Cathy Stepp        | Ms. Stepp     | Regional Administrator - Region 5                                                                      | U.S. Environmental Protection Agency |
| Mr. Kenneth Wagner     | Mr. Wagner    | Senior Advisor, Regional and State Affairs                                                             | U.S. Environmental Protection Agency |
| Mr. William Wehrum     | Mr. Wehrum    | Assistant Administrator, Office of Air and Radiation                                                   | U.S. Environmental Protection Agency |
| Ms. Anna Wildeman      | Ms. Wildeman  | Deputy Assistant Administrator, Office of Water                                                        | U.S. Environmental Protection Agency |
| Mr. Clint Woods        | Mr. Woods     | Deputy Assistant Administrator, Office of Air and Radiation                                            | U.S. Environmental Protection Agency |
| Mr. Peter Wright       | Mr. Wright    | Counselor to Andrew Wheeler, nominee for Assistant Administrator, Office of Land and Energy Management | U.S. Environmental Protection Agency |
| Dr. Richard Yamada     | Dr. Yamada    | Deputy Assistant Administrator, Office of Research and Development                                     | U.S. Environmental Protection Agency |

---

**From:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Sent:** Wednesday, July 25, 2018 12:43 PM  
**To:** Melodie DeMulling <[demulling@eli.org](mailto:demulling@eli.org)>  
**Subject:** RE: 2018 ELI Award Dinner

Hi,  
I'm assuming you mean Scott Fulton and not Scott Pruitt (ha!). Please let Scott know that I am not comfortable with extending the widely attended gathering exception to Aaron Dickerson, who occupies a position that is akin to being a secretary. I know that term is not politically correct, and that Aaron's skills and talents are superior, but he's in a support staff position. To justify the WAG exception, I have to conclude that his attendance at the ELI dinner furthers an agency interest, which seems like a stretch to me.

If instead Scott wants to thank Aaron for his assistance over the years by extending the invitation, then please gently remind him that Aaron cannot accept any gratuity for having performed his official duties (a "*gratuity*" is lesser included offense in the bribery statute).

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** Melodie DeMulling [<mailto:demulling@eli.org>]  
**Sent:** Wednesday, July 25, 2018 12:18 PM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Subject:** RE: 2018 ELI Award Dinner

Thanks Justina. We will get these corrected. As far as Aaron Dickerson that is someone Scott requested be on the list. I think he has spoken with us before or something. Not really sure and Scott is out this week dealing with a family emergency so I can't follow up with him just now but will do so as soon as he returns.  
Thanks, Melodie

---

**From:** Fugh, Justina [<mailto:Fugh.Justina@epa.gov>]  
**Sent:** Tuesday, July 24, 2018 9:08 PM  
**To:** Melodie DeMulling  
**Subject:** RE: 2018 ELI Award Dinner

Hi Melodie,  
Sorry, but I've been out for a few days. See my notes below (and thanks, as always, for coordinating with me!).  
Justina

|           |                |                                                              |                                                                                                                                                                                                 |
|-----------|----------------|--------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| DePass    | Michelle       | Assistant Administrator for International and Tribal Affairs | Does not work at EPA. Was an Obama appointee. Acting AA is Jane Nishida, and William "Chad" McIntosh has been nominated to this position. He's in a political slot at EPA pending confirmation. |
| McCabe    | Catherine      | Deputy Regional Administrator- Region 2                      | No longer with EPA. Walter Mugdan is the acting DRA                                                                                                                                             |
| Wayland   | Richard "Chet" | Director, Air Quality Assessment Division                    | No longer with EPA.                                                                                                                                                                             |
| Dickerson | Aaron          | Assistant to the Chief of Staff                              | Seriously? I'll have a tough time justifying why a support staff person's attendance "furthers an agency interest" in attending.                                                                |
| Knizner   | Steve          | Director, Antimicrobials Division                            | No longer with EPA.                                                                                                                                                                             |
| Ross      | Dave           | Assistant Administrator, Office of Water                     |                                                                                                                                                                                                 |
| Siciliano | Carol Ann      | Associate General Counsel, Cross-Cutting Issues Law Office   |                                                                                                                                                                                                 |
| Stein     | Kathie         | Environmental Appeals Judge                                  |                                                                                                                                                                                                 |
| Wheeler   | Andrew         | Acting Deputy Administrator                                  | Nope, he's the acting administrator                                                                                                                                                             |

Message

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**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 12/5/2017 12:56:59 AM  
**To:** Yamada, Richard (Yujiro) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4c34a1e0345e4d26b361b5031430639d-Yamada, Yuj]  
**Subject:** RE: Dear OGC/Ethics -- May I Attend This Holiday Party?

Thanks and glad we got that cleared up!

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**From:** Yamada, Richard (Yujiro)  
**Sent:** Friday, December 01, 2017 5:29 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** Re: Dear OGC/Ethics -- May I Attend This Holiday Party?

Hi Justina,

I just sent them an email asking to cancel my rsvp for this event - I will not be attending.

Thank you,

Richard

Sent from my iPhone

On Dec 1, 2017, at 5:03 PM, Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)> wrote:

Hi there,  
Oh, no, I'm sorry, but the Portland Cement Association is a federally registered lobbyist. You cannot accept free attendance at this event.  
Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308  
North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004  
for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** Yamada, Richard (Yujiro)  
**Sent:** Friday, December 01, 2017 4:33 PM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Subject:** RE: Dear OGC/Ethics -- May I Attend This Holiday Party?

Hi Justina,

Hope you're doing well – I got invited to the following reception next week – is this OK for me to attend – please click on the jpg which gives a little bit more info. I did RSVP but wanted to run it by you! Thank you much,

Richard

%%%%%%%%%%%%%%%%%%%%%%%%%%%%%%%%%%%%%%%%%%%%%%%%%%%%%%%%%%%%%%%%%%%%%%%%%

Season's Greetings:

To my friends and colleagues here in the Washington, DC area, and those of you willing to do a little traveling for a good party, I wanted to invite you to join me at the Portland Cement Association's (PCA's) *Celebrate the Season Party* on **Tuesday, December 6<sup>th</sup>** from **5:30-8:00** at the Great Hall in the **Folger Shakespeare Library** located at East Capitol and 2<sup>nd</sup> Street NE, Washington, DC.

While this will be my first year as a co-host of the party, having just joined PCA earlier this year, I have been assured it is a great party with good food and drinks and good opportunities for conversation with your peers.

Please RSVP to [pcagovernmentaffairs@cement.org](mailto:pcagovernmentaffairs@cement.org) by Monday, December 5<sup>th</sup> if you plan to join us.

<< File: image001.jpg >>

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**From:** Fugh, Justina

**Sent:** Friday, December 1, 2017 4:02 PM

**To:** Bennett, Tate <[Bennett.Tate@epa.gov](mailto:Bennett.Tate@epa.gov)>; Bolen, Derrick <[bolen.derrick@epa.gov](mailto:bolen.derrick@epa.gov)>; Burke, Marcella <[burke.marcella@epa.gov](mailto:burke.marcella@epa.gov)>; Cory, Preston (Katherine) <[Cory.Preston@epa.gov](mailto:Cory.Preston@epa.gov)>; Darwin, Henry <[darwin.henry@epa.gov](mailto:darwin.henry@epa.gov)>; Falvo, Nicholas <[falvo.nicholas@epa.gov](mailto:falvo.nicholas@epa.gov)>; Ford, Hayley <[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)>; Greenwalt, Sarah <[greenwalt.sarah@epa.gov](mailto:greenwalt.sarah@epa.gov)>; Hupp, Millan <[hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)>; Konkus, John <[konkus.john@epa.gov](mailto:konkus.john@epa.gov)>; Lovell, Will (William) <[lovell.william@epa.gov](mailto:lovell.william@epa.gov)>; McMurray, Forrest <[mcmurray.forrest@epa.gov](mailto:mcmurray.forrest@epa.gov)>; Munoz, Charles <[munoz.charles@epa.gov](mailto:munoz.charles@epa.gov)>; Palich, Christian <[palich.christian@epa.gov](mailto:palich.christian@epa.gov)>; Ringel, Aaron <[ringel.aaron@epa.gov](mailto:ringel.aaron@epa.gov)>; Rodrick, Christian <[rodrick.christian@epa.gov](mailto:rodrick.christian@epa.gov)>; Sands, Jeffrey <[sands.jeffrey@epa.gov](mailto:sands.jeffrey@epa.gov)>; Schwab, Justin <[Schwab.Justin@epa.gov](mailto:Schwab.Justin@epa.gov)>; Shimmin, Kaitlyn <[shimmin.kaitlyn@epa.gov](mailto:shimmin.kaitlyn@epa.gov)>; Stepp, Cathy <[stepp.cathy@epa.gov](mailto:stepp.cathy@epa.gov)>; Baptist, Erik <[baptist.erik@epa.gov](mailto:baptist.erik@epa.gov)>; Benevento, Douglas <[benevento.douglas@epa.gov](mailto:benevento.douglas@epa.gov)>; Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Bowman, Liz <[Bowman.Liz@epa.gov](mailto:Bowman.Liz@epa.gov)>; Chmielewski, Kevin <[chmielewski.kevin@epa.gov](mailto:chmielewski.kevin@epa.gov)>; Darwin, Henry <[darwin.henry@epa.gov](mailto:darwin.henry@epa.gov)>; Dravis, Samantha <[dravis.samantha@epa.gov](mailto:dravis.samantha@epa.gov)>; Forsgren, Lee <[Forsgren.Lee@epa.gov](mailto:Forsgren.Lee@epa.gov)>; Fotouhi, David <[Fotouhi.David@epa.gov](mailto:Fotouhi.David@epa.gov)>; Glenn, Trey <[Glenn.Trey@epa.gov](mailto:Glenn.Trey@epa.gov)>; Greaves, Holly <[greaves.holly@epa.gov](mailto:greaves.holly@epa.gov)>; Gulliford, Jim <[gulliford.jim@epa.gov](mailto:gulliford.jim@epa.gov)>; Harlow, David <[harlow.david@epa.gov](mailto:harlow.david@epa.gov)>; Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Kelly, Albert <[kelly.albert@epa.gov](mailto:kelly.albert@epa.gov)>; Lopez, Peter <[lopez.peter@epa.gov](mailto:lopez.peter@epa.gov)>; Lyons, Troy <[lyons.troy@epa.gov](mailto:lyons.troy@epa.gov)>; Servidio, Cosmo <[Servidio.Cosmo@epa.gov](mailto:Servidio.Cosmo@epa.gov)>; T aylor, Patrick <[traylor.patrick@epa.gov](mailto:traylor.patrick@epa.gov)>; Wagner, Kenneth <[wagner.kenneth@epa.gov](mailto:wagner.kenneth@epa.gov)>; Yamada, Richard (Yujiro) <[yamada.richard@epa.gov](mailto:yamada.richard@epa.gov)>; Wehrum, Bill <[Wehrum.Bill@epa.gov](mailto:Wehrum.Bill@epa.gov)>; Bodine, Susan <[bodine.susan@epa.gov](mailto:bodine.susan@epa.gov)>; Dourson, Michael <[dourson.michael@epa.gov](mailto:dourson.michael@epa.gov)>

**Cc:** ethics <[ethics@epa.gov](mailto:ethics@epa.gov)>; Minoli, Kevin <[Minoli.Kevin@epa.gov](mailto:Minoli.Kevin@epa.gov)>

**Subject:** Dear OGC/Ethics -- May I Attend This Holiday Party?

# Reminder for Political Appointees

## Don't Assume You Can Accept Invitations To Seasonal Celebrations and Other Receptions

— *Always Ask!*

Dear EPA political appointees –

I'm writing to remind you about your obligations under the Trump Ethics Pledge that you signed. We know it's that festive time of year when you may be invited to go to holiday receptions and parties, so the EPA ethics elves are sending you this reminder to be careful.

### **What's a gift?**

In your initial ethics briefing, you learned about the gift rules in the Standards of Conduct and the additional restrictions imposed upon you by the Trump Ethics Pledge that you signed when you joined EPA. As a federal employee, you cannot accept a gift that is offered to you because of your official position or from a prohibited source. "Gift" is defined to include gratuities, favors, discounts, entertainment, hospitality and other items having monetary value. The definition is very broad, and it encompasses free attendance at the kinds of dinners, receptions and other networking events that are common in D.C., particularly during the holiday season.

### **What's the rule?**

You are prohibited from accepting any gift (including invitations to holiday parties) from a federally registered lobbyist. Even if the invitation says that it's a "widely attended gathering" or that it meets the Congressional ethics rules, don't assume you can go. You're an EPA political appointee, so you must get written approval from OGC/Ethics before you go to the event. When you send the invitation to OGC/Ethics, the first thing we will do is determine whether the sponsor of the event is a federally registered lobbyist.

- **Event is sponsored by a federally registered lobbyist**

In this case, the Lobbyist Gift Ban applies. When you signed the pledge, you promised not to accept gifts from federally registered lobbyists. The common exception for a "widely attended gathering" (WAG) does not apply to invitations from and events sponsored by federally registered lobbyists. **YOU CAN NEVER ACCEPT THE GIFT OF FREE ATTENDANCE TO A WAG FROM A FEDERALLY REGISTERED LOBBYIST.**

If the event is sponsored by a federally registered lobbyist, but you really want to attend ... then you will need to work closely with OGC/Ethics to pay personally out of your pocket. It's not enough to say that you'll pay for your drinks and won't eat. The rule is that you can't even go to the event unless you pay personally for the cost per person. So, upon request, OGC/Ethics will contact the sponsor to determine the cost per person that will have to pay, and to whom. We want to help you document your payment so that you can show you have not violated the Trump Ethics Pledge.

- **Event is not sponsored by a federally registered lobbyist**

In this case, OGC/Ethics will determine if the "Widely Attended Gathering" (WAG) exception applies to permit your attendance. The WAG exception allows ethics officials to approve an employee's acceptance of free attendance upon a written determination that your attendance furthers an agency



interest. In order for OGC/Ethics to clear your attendance, there must be a large number of people attending the event as well as a diversity of views or interests among those attending. If the offer to attend is from the sponsor of the event, there is no limit on the value of the event. If the offer of free attendance comes from someone other than the sponsor, then the value of the gift (your attendance and your spouse's, if applicable) cannot exceed \$390. Should your ethics official determines that you may accept the gift and attend, you will do so in your personal capacity and not on government time. And you may have to disclose the gift on your OGE-278, depending on its value. OGC/Ethics will let you know whether you have to report the gift when we notify you that it has been approved.

**What should you do in each and every case?**

**Contact OGC/Ethics BEFORE attending. Send an email to [ethics@epa.gov](mailto:ethics@epa.gov) and provide us with a copy of the invitation and as much information as you can regarding the event.**

Thanks for your attention to ethics issues!

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

Message

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**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 11/28/2017 11:29:22 PM  
**To:** Bolen, Brittany [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=31e872a691114372b5a6a88482a66e48-Bolen, Brit]; Gunasekara, Mandy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=53d1a3caa8bb4ebab8a2d28ca59b6f45-Gunasekara,]  
**CC:** Lewis, Josh [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b22d1d3bb3f84436a524f76ab6c79d7e-JOLEWIS]; Atkinson, Emily [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bb2155adef6a44aea9410741f0c01d27-Atkinson, Emily]  
**Subject:** RE: Ethics Form for the EEI Dinner(s)

Got it. Thanks!

---

**From:** Bolen, Brittany  
**Sent:** Tuesday, November 28, 2017 6:11 PM  
**To:** Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>; Fugh, Justina <Fugh.Justina@epa.gov>  
**Cc:** Lewis, Josh <Lewis.Josh@epa.gov>; Atkinson, Emily <Atkinson.Emily@epa.gov>  
**Subject:** RE: Ethics Form for the EEI Dinner(s)

Thanks, Mandy. That is correct.

---

**From:** Gunasekara, Mandy  
**Sent:** Tuesday, November 28, 2017 6:09 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Cc:** Lewis, Josh <Lewis.Josh@epa.gov>; Atkinson, Emily <Atkinson.Emily@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>  
**Subject:** Re: Ethics Form for the EEI Dinner(s)

Yes- looping in Brittany for a awareness I of conversation. Neither of us attended the dinner.

Sent from my iPhone

On Nov 28, 2017, at 5:05 PM, Fugh, Justina <Fugh.Justina@epa.gov> wrote:

Hi Mandy,  
Thanks for letting me know, but to be clear, are you saying that both you and Brittany did not attend the dinner? If so, then I'll delete the forms from our approval database ( you don't need to send me the email that you sent cancelling your attendance ). Just confirm for me that both you and Brittany skipped it.  
Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308  
North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004  
for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** Gunasekara, Mandy  
**Sent:** Monday, November 27, 2017 12:55 PM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Cc:** Lewis, Josh <[Lewis.Josh@epa.gov](mailto:Lewis.Josh@epa.gov)>; Atkinson, Emily <[Atkinson.Emily@epa.gov](mailto:Atkinson.Emily@epa.gov)>  
**Subject:** RE: Ethics Form for the EEI Dinner(s)

Hi Justina,  
We ended up not attending the below dinner. We ran into some logistical issues. Do you need me to send you the email I sent EEI cancelling? Let me know if you need additional information.  
Thanks,  
Mandy

---

**From:** Atkinson, Emily  
**Sent:** Monday, November 13, 2017 1:31 PM  
**To:** Gunasekara, Mandy <[Gunasekara.Mandy@epa.gov](mailto:Gunasekara.Mandy@epa.gov)>  
**Cc:** Lewis, Josh <[Lewis.Josh@epa.gov](mailto:Lewis.Josh@epa.gov)>  
**Subject:** FW: Ethics Form for the EEI Dinner(s)

Hi Mandy,

Attached is an approved travel ethics form for the EEI dinner(s). When you return, additional information will need to be provided to Justina (see below).

Emily Atkinson  
Management Analyst/Office Manager  
Immediate Office of the Acting Assistant Administrator  
Office of Air and Radiation, USEPA  
Room 5412B, 1200 Pennsylvania Avenue NW  
Washington, DC 20460  
Voice: 202-564-1850  
Email: [atkinson.emily@epa.gov](mailto:atkinson.emily@epa.gov)

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**From:** Fugh, Justina  
**Sent:** Monday, November 13, 2017 1:25 PM  
**To:** Atkinson, Emily <[Atkinson.Emily@epa.gov](mailto:Atkinson.Emily@epa.gov)>  
**Cc:** Kime, Robin <[Kime.Robin@epa.gov](mailto:Kime.Robin@epa.gov)>  
**Subject:** RE: Ethics Form for the EEI Dinner(s)

Hi Emily,  
Here is the approved travel form for Mandy. When she returns, please find out whether the event was on 11/13 or 11/14. I inserted a guess of \$100 for dinner, which I expect is very high. See if she has a guess and, if not, then tell me what the per diem is for dinner and I'll use that instead. Remember that because she received this meal as a gift, she cannot also claim per diem for it. You'll need to back out this meal from her per diem for the day on her travel voucher.  
Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308  
North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004  
for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** Atkinson, Emily  
**Sent:** Monday, November 13, 2017 11:09 AM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Cc:** Kime, Robin <[Kime.Robin@epa.gov](mailto:Kime.Robin@epa.gov)>  
**Subject:** Ethics Form for the EEI Dinner(s)

Attached is the completed form for Mandy. I am copying Robin Kim on this note so she can get this filled out for Brittany Bolen. Robin – attached is a blank form (and the completed one for Mandy you can use as a reference).

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**From:** Fugh, Justina  
**Sent:** Monday, November 13, 2017 10:51 AM  
**To:** Atkinson, Emily <[Atkinson.Emily@epa.gov](mailto:Atkinson.Emily@epa.gov)>  
**Subject:** here you go

Message

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**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 8/15/2017 6:44:21 AM  
**To:** Morris, Madeline [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=f42c86b4a2044779972ac94e098f0304-Morris, Mad]  
**CC:** Hupp, Millan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=92cac7b684b64f90953b753a01bee0d5-Hupp, Milla]; Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]  
**Subject:** FW: Ethics advice concerning your invitation to the ELI dinner

Just FYI, Maddy. ELI informs me of whom they are inviting, so here is the ethics determination for Mr. Pruitt if he wishes to attend this event.

Justina

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**From:** Fugh, Justina  
**Sent:** Monday, August 14, 2017 11:43 PM  
**To:** Baptist, Erik <baptist.erik@epa.gov>; Bloom, David <Bloom.David@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Brooks, Phillip <Brooks.Phillip@epa.gov>; Brown, Byron <brown.byron@epa.gov>; Dravis, Samantha <dravis.samantha@epa.gov>; Dunham, Sarah <Dunham.Sarah@epa.gov>; Elkins, Arthur <Elkins.Arthur@epa.gov>; Flynn, Mike <Flynn.Mike@epa.gov>; Forsgren, Lee <Forsgren.Lee@epa.gov>; Fotouhi, David <fotouhi.david@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>; Mclean, Kevin <Mclean.Kevin@epa.gov>; Michaud, John <Michaud.John@epa.gov>; Minoli, Kevin <Minoli.Kevin@epa.gov>; Nishida, Jane <Nishida.Jane@epa.gov>; Pruitt, Scott <Pruitt.Scott@epa.gov>; Schmidt, Lorie <Schmidt.Lorie@epa.gov>; Schwab, Justin <schwab.justin@epa.gov>; Shapiro, Mike <Shapiro.Mike@epa.gov>; Shinkman, Susan <Shinkman.Susan@epa.gov>; Starfield, Lawrence <Starfield.Lawrence@epa.gov>; Traylor, Patrick <traylor.patrick@epa.gov>; Tsirigotis, Peter <Tsirigotis.Peter@epa.gov>; Wagner, Kenneth <wagner.kenneth@epa.gov>  
**Cc:** Griffo, Shannon <Griffo.Shannon@epa.gov>; Duross, Jeanne <Duross.Jeanne@epa.gov>; Ross, Margaret <Ross.Margaret@epa.gov>  
**Subject:** Ethics advice concerning your invitation to the ELI dinner

Hi there,

OGC/Ethics understands that you have received or will soon receive an invitation from the Environmental Law Institute (ELI) to be its guest at its annual awards dinner to be held this year on October 18, 2017 at the Omni Shoreham Hotel. I am writing to confirm that, if you decide to attend this event, you may do so consistent with the Standards of Ethical Conduct for Employees of the Executive Branch and, for those of you who are political appointees, consistent with the Trump Ethics Pledge.

This event qualifies for the Widely-Attended-Gathering gift exception, and as such, OGC/Ethics determines that your attendance at the event is in the Agency's interest because it will further agency programs and operations. Should you attend this event, you will NOT be required to report this as a gift on your financial disclosure report form (if you file one) because the gift is valued at \$200, which is BELOW the reporting threshold.

Please note: this approval applies only to invitations from ELI itself. Any invitations from other sources will require separate determinations by either OGC or the appropriate Deputy Ethics Official. This determination covers you only -- the invitation is not transferable.

Acceptance of Free Attendance to a Dinner and Fundraiser (WAG rule)

The gift offered is an evening reception and dinner sponsored by ELI. Because the organization is offering you a complimentary ticket, we must analyze it according to the gift rules. Generally, federal employees are prohibited from accepting gifts given because of their official position or given by a prohibited source (typically, a person either regulated by or seeking to do business with the EPA). In this instance, the gift of free attendance is offered to you because of your official position. In analyzing the situation, we determined that the WAG exception is available because the reception will be widely attended, there will be a diversity of views represented, and there is an opportunity for the exchange of ideas. In order to utilize this gift exception, OGC/Ethics must also make a written determination that we believe your attendance is in the Agency's interest. We do, in fact, conclude that there is an Agency interest in your attendance if you wish to go.

Limitations Due to the Fundraiser Event

Please note that this event is a fundraiser. Therefore, ELI cannot use or reference your official position or title or any authority associated with your public office in furtherance of the fundraising effort. You may not actively or visibly participate in the promotion, production, or presentation of the event, which means that you cannot sit at a head table nor stand in a receiving line. We have confirmed with ELI that you will be placed by ELI and not seated at the request of any sponsoring entity that has bought a table.

Please let me know if you have any questions.

Regards,  
justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

Message

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**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 11/13/2017 7:27:55 PM  
**To:** Kime, Robin [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7ef7b76087a6475b80fc984ac2dd4497-RKime]  
**CC:** Atkinson, Emily [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bb2155adef6a44aea9410741f0c01d27-Atkinson, Emily]  
**Subject:** RE: EEI Ethics for B. Bolen  
**Attachments:** BBolen travel approval.pdf

Hi Robin,

Here is the approved travel form for Brittany. As I indicated to Emily, when Brittany returns, please find out whether the event was on 11/13 or 11/14. I inserted a guess of \$100 for dinner, which I expect is very high. See if she has a guess and, if not, then tell me what the per diem is for dinner and I'll use that instead. Remember that because she received this meal as a gift, she cannot also claim per diem for it. You'll need to back out this meal from her per diem for the day on her travel voucher.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** Kime, Robin  
**Sent:** Monday, November 13, 2017 11:23 AM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Cc:** Atkinson, Emily <Atkinson.Emily@epa.gov>  
**Subject:** EEI Ethics for B. Bolen

Good morning,

Attached is the completed Ethics form for Brittany. Thanks so much to you and also to Emily.  
Take care.

Message

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**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 8/14/2017 7:11:30 PM  
**To:** Ferguson, Lincoln [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=08cd7f82606244de96b61b96681c46de-Ferguson, L]  
**CC:** Davis, Gail [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3778a7cc1fa4f078f7c4b447c63e7c8-Gdavis04]  
**Subject:** Re: Status of Your Ethics Travel Form Approval Request

You can ask Gail to print it out for you, or you can wait another day. Am at the airport now and ready to board so can't get this to you until tomorrow at the earliest.

Sent from my iPhone

On Aug 14, 2017, at 3:10 PM, Ferguson, Lincoln <[ferguson.lincoln@epa.gov](mailto:ferguson.lincoln@epa.gov)> wrote:

Justina –

I am unable to view the document attached. Can you resend as a PDF or let me know another way I can view it?

---

**From:** Justina Fugh [<mailto:Fugh.Justina@epamail.epa.gov>]  
**Sent:** Wednesday, August 9, 2017 6:16 PM  
**To:** Lincoln Ferguson <[Ferguson.Lincoln@epamail.epa.gov](mailto:Ferguson.Lincoln@epamail.epa.gov)>  
**Subject:** Status of Your Ethics Travel Form Approval Request

Justina Fugh, the authorized approving official, has approved your form 2610-3 (Approval to Accept Travel under Ethics Reform Act of 1989).

Please click the link below to view or print your approved form. The print button is in the grey area at the top of the form.

This e-mail notification points to a link that contains your approved form. The notification itself is not evidence of OGC's approval. You must use the actual approved form where evidence of approval is needed.

<image001.gif>



Message

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**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 11/13/2017 6:25:15 PM  
**To:** Atkinson, Emily [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bb2155adef6a44aea9410741f0c01d27-Atkinson, Emily]  
**CC:** Kime, Robin [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7ef7b76087a6475b80fc984ac2dd4497-RKime]  
**Subject:** RE: Ethics Form for the EEI Dinner(s)  
**Attachments:** Gunasekara travel approval.pdf

Hi Emily,

Here is the approved travel form for Mandy. When she returns, please find out whether the event was on 11/13 or 11/14. I inserted a guess of \$100 for dinner, which I expect is very high. See if she has a guess and, if not, then tell me what the per diem is for dinner and I'll use that instead. Remember that because she received this meal as a gift, she cannot also claim per diem for it. You'll need to back out this meal from her per diem for the day on her travel voucher.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** Atkinson, Emily  
**Sent:** Monday, November 13, 2017 11:09 AM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Cc:** Kime, Robin <Kime.Robin@epa.gov>  
**Subject:** Ethics Form for the EEI Dinner(s)

Attached is the completed form for Mandy. I am copying Robin Kim on this note so she can get this filled out for Brittany Bolen. Robin – attached is a blank form (and the completed one for Mandy you can use as a reference).

---

**From:** Fugh, Justina  
**Sent:** Monday, November 13, 2017 10:51 AM  
**To:** Atkinson, Emily <Atkinson.Emily@epa.gov>  
**Subject:** here you go

Message

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**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 10/5/2017 7:05:04 PM  
**To:** Ford, Hayley [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4748a9029cf74453a20ee8ac9527830c-Ford, Hayle]; Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]  
**CC:** Hupp, Millan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=92cac7b684b64f90953b753a01bee0d5-Hupp, Milla]  
**Subject:** RE: Ethics Review: Louisiana Chemical Association & Chemical Industry Alliance

Oh, I was just responding (at that time) to the question of whether EPA may accept the travel. Let's give Jennie a day to respond to the invitation to speak.

**Ex. 6 - Personal Privacy**

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**From:** Ford, Hayley  
**Sent:** Thursday, October 05, 2017 2:15 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>; Keith, Jennie <Keith.Jennie@epa.gov>  
**Cc:** Hupp, Millan <hupp.millan@epa.gov>  
**Subject:** RE: Ethics Review: Louisiana Chemical Association & Chemical Industry Alliance

And you also approve his speaking at the event? Just want to confirm that the lodging and speaking is confirmed. Thanks!

*Hayley Ford*  
Deputy White House Liaison  
Office of the Administrator  
Environmental Protection Agency  
Room: 3309C William Jefferson Clinton North  
[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)  
Phone: 202-564-2022  
Cell: 202-306-1296

---

**From:** Fugh, Justina  
**Sent:** Thursday, October 5, 2017 1:41 PM  
**To:** Ford, Hayley <[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)>; Keith, Jennie <[Keith.Jennie@epa.gov](mailto:Keith.Jennie@epa.gov)>  
**Cc:** Hupp, Millan <[hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)>; Davis, Gail <[Davis.Gail@epa.gov](mailto:Davis.Gail@epa.gov)>  
**Subject:** RE: Ethics Review: Louisiana Chemical Association & Chemical Industry Alliance

Yes, OGC/ethics will be able to approve this gift of lodging. Gail needs to do the ethics travel form, though.

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

---

**From:** Ford, Hayley  
**Sent:** Thursday, October 05, 2017 12:32 PM

**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>; Keith, Jennie <[Keith.Jennie@epa.gov](mailto:Keith.Jennie@epa.gov)>  
**Cc:** Hupp, Millan <[hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)>  
**Subject:** Ethics Review: Louisiana Chemical Association & Chemical Industry Alliance

Justina and Jennie,

Can you please review the attached speaking request? Additionally, they have offered a room at the hotel for Thursday night set aside for speakers. Can you let us know if we're allowed to accept?

Thank you!

***Hayley Ford***

Deputy White House Liaison  
Office of the Administrator  
Environmental Protection Agency  
Room: 3309C William Jefferson Clinton North  
[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)  
Phone: 202-564-2022  
Cell: 202-306-1296

Message

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**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 10/26/2017 7:32:38 PM  
**To:** Patrick, Monique [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=3f271920363c4aecbff1e989a6dfde9b-MPATRICK]  
**CC:** ethics [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d77d8564b916474a9312ec6c9c4dca55-ethics]  
**Subject:** RE: Invitation for Mr. Schwab to Speak at Nuclear Energy Institute Legal Advisory Committee NOVEMBER 14th at 1:45 pm

Hi Monique,

We use the ethics travel form only if the person will be in travel status. As this event takes place in DC, Justin won't be in travel status at all. Since he is speaking, he can attend for the entire one-day event (not just the short time that he's speaking) and also accept the breakfast and lunch if he wants, pursuant to 5 CFR 2635.203(b)(8)(i).

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** Patrick, Monique  
**Sent:** Thursday, October 26, 2017 2:00 PM  
**To:** OGC Ethics <OGC\_Ethics@epa.gov>  
**Subject:** FW: Invitation for Mr. Schwab to Speak at Nuclear Energy Institute Legal Advisory Committee NOVEMBER 14th at 1:45 pm

Hello

Will I have to complete an ethics form for Justin?

---

**From:** COTTINGHAM, Anne [<mailto:awc@nei.org>]  
**Sent:** Thursday, October 26, 2017 1:54 PM  
**To:** Schwab, Justin <[Schwab.Justin@epa.gov](mailto:Schwab.Justin@epa.gov)>  
**Cc:** Patrick, Monique <[Patrick.Monique@epa.gov](mailto:Patrick.Monique@epa.gov)>; GINSBERG, Ellen <[ecg@nei.org](mailto:ecg@nei.org)>; MONTERRAT, Gia <[gam@nei.org](mailto:gam@nei.org)>  
**Subject:** Invitation for Mr. Schwab to Speak at Nuclear Energy Institute Legal Advisory Committee NOVEMBER 14th at 1:45 pm

INVITATION FOR MR. SCHWAB TO SPEAK AT THE NOVEMBER 14, 2017 NEI LEGAL ADVISORY COMMITTEE MEETING

Dear Mr. Schwab:

On behalf of NEI's General Counsel Ellen Ginsberg and the entire Nuclear Energy Institute Legal division, thank you for agreeing to speak to the NEI Legal Advisory Committee (LAC) at the upcoming fall 2017 meeting

on **Tuesday, November 14, 2017**. The meeting will be held at NEI's office at 1201 F Street, NW, Suite 1100, Washington, DC (across the street from the Metro Center metro station.)

The meeting is scheduled to run from 9 a.m. through approximately 4 p.m. A copy of the current draft agenda is attached for convenience.

NEI is the organization responsible for establishing unified policies on matters affecting the nuclear energy industry. NEI's members include all entities licensed to operate commercial nuclear power plants in the United States, nuclear plant designers, major architect/engineering firms, fuel cycle facilities, nuclear materials licensees, and other organizations and entities involved in the nuclear energy industry.

The Legal Advisory Committee is comprised of in-house counsel from member companies and attorneys from member law firms with a nuclear energy practice, thus representing a substantial part of the U.S. "nuclear bar." LAC meetings typically draw around 50 lawyers and often others who are interested in a particular topic. We like to cover an array of timely legal, regulatory, legislative, policy, and litigation issues, and we customarily invite an array of speakers from diverse backgrounds. In addition to hearing from NEI experts, we regularly feature NRC speakers (Commissioners, NRC General Counsel, NRC Solicitor, NRC Regional Administrators, directors of the Office of New Reactors, the Office of Nuclear Reactor Regulation, the Office of Enforcement, and the Office of Congressional Affairs). We also like to go further afield and hear from other Administration and federal agency officials whose policies affect the nuclear industry, *e.g.*, the DOE General Counsel, the Federal Aviation Administration OGC, the Council on Environmental Quality, the National Security Council, Congressional staff, and other federal and state officials. We are pleased that this upcoming meeting will feature leadership from the NRC, the DOE, and (with your presence on the agenda) the EPA.

**We have scheduled your presentation to run from 1:45 p.m. until 2:15 p.m.**

We would be interested in hearing your perspectives on whatever EPA topic(s) you care to address. As we discussed, a general overview of current EPA legal and regulatory priorities (in whatever level of detail you choose to provide) would be very useful. While NEI members are keenly interested in those federal policies that directly affect their companies, you need not limit yourself to those topics.

Before the meeting:

**Please send us a short bio, which will be used to introduce you.**

**Do let us know if you plan to use slides.** If so, we would appreciate having them before the meeting (preferably by noon on Monday, November 13) to add to the master slide deck.

We know you have many demands on your time and truly appreciate your acceptance of NEI's invitation.

Feel free to contact our division assistant Gia Montserrat ([gam@nei.org](mailto:gam@nei.org)) or me with any questions.

Cordially,

Anne Cottingham

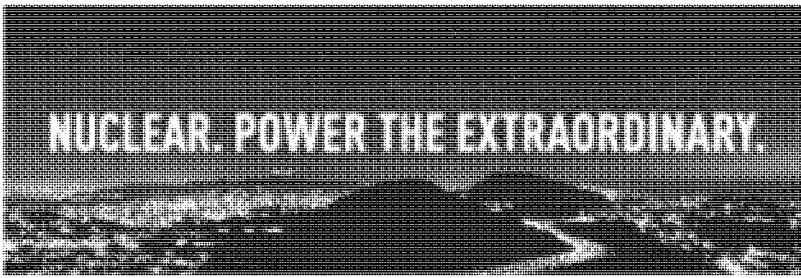


**ANNE W. COTTINGHAM** | *Associate General Counsel*  
1201 F Street, NW, Suite 1100 | Washington, DC 20004

P: 202-739-8139

M: Ex. 6 - Personal Privacy

E: [awc@nei.org](mailto:awc@nei.org)



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Sent through [www.intermedia.com](http://www.intermedia.com)

Message

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**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 9/22/2017 9:53:18 PM  
**To:** Albores, Richard [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ce14f8709a5e4ac383af9d0b767fd8af-Ralbor02]; Fotouhi, David [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=febaf0d56aab43f8a9174b18218c1182-Fotouhi, Da]; Baptist, Erik [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=10fc1b085ee14c6cb61db378356a1eb9-Baptist, Er]; Schwab, Justin [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=eed0f609c0944cc2bbdb05df3a10aadb-Schwab, Jus]  
**CC:** Minoli, Kevin [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c9c0070d651a4625ac20258369f9b050-KMINOLI]; Griffo, Shannon [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6c901eb2c3ba4556a4a581b8816d5a9a-Vallance, Shannon]; Trudeau, Shaun [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=15644442a1194d7e9f07b0f9fc172d6d-Trudeau, Sh]  
**Subject:** RE: Fall Industry Association and EPA OGC Dialogue Meeting

Hi there,

Well, to be super clear, I meant that they should not have any sidebar *substantive* conversations with their former clients. It's okay for them to say howdy and how are the kids! I just don't want anyone to try to leverage the meeting into then engaging J, D and E into some work-related conversation.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** Albores, Richard  
**Sent:** Thursday, September 21, 2017 2:01 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>; Baptist, Erik <baptist.erik@epa.gov>; Schwab, Justin <Schwab.Justin@epa.gov>  
**Cc:** Minoli, Kevin <Minoli.Kevin@epa.gov>; Griffo, Shannon <Griffo.Shannon@epa.gov>; Trudeau, Shaun <Trudeau.Shaun@epa.gov>  
**Subject:** RE: Fall Industry Association and EPA OGC Dialogue Meeting

I can confirm that more than five invitees of fifteen will be attending this meeting next week. I have indicated to the participants that present potential conflicts that they should refrain from sidebar conversations with the deputies.

R

---

**RICHARD L. ALBORES**

Associate Deputy General Counsel \* Office of General Counsel \* U.S. EPA \* 1200 Pennsylvania Avenue, NW \* MC2310A  
\* Washington, DC 20460 \* email: [albores.richard@epa.gov](mailto:albores.richard@epa.gov) \* phone: 202.564.7102 \* mobile: 202.809.8029

---

**From:** Fugh, Justina

**Sent:** Wednesday, September 13, 2017 1:28 PM

**To:** Fotouhi, David <Fotouhi.David@epa.gov>; Baptist, Erik <baptist.erik@epa.gov>; Schwab, Justin <Schwab.Justin@epa.gov>

**Cc:** Minoli, Kevin <Minoli.Kevin@epa.gov>; Griffo, Shannon <Griffo.Shannon@epa.gov>; Trudeau, Shaun <Trudeau.Shaun@epa.gov>; Albores, Richard <Albores.Richard@epa.gov>

**Subject:** Fall Industry Association and EPA OGC Dialogue Meeting

Gentlemen,

In reviewing the list of invited participants, OGC/Ethics noted that each of you has a potential conflict:

David Fotouhi – Association of American Railroads

Justin Schwab – American Fuel and Petrochemical Manufacturers

Erik Baptist – American Petroleum Institute

Please be advised that, before attending the event, you should first verify with Rich Albores whether your conflict will be attending and, if so, whether there will be at least four other participants. If so, then OGC/Ethics can allow you to participate in the meeting. The subject will involve a matter of general applicability and more than five entities will be present. You are reminded, however, that you should not engage in any sidebar conversation with the representative of your conflict, pursuant to your ethics obligations.

Thanks for your attention, as always. If you have any questions, please let Shannon Griffo or me know.  
Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772



Message

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**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 5/26/2017 8:04:44 PM  
**To:** Beck, Nancy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=168ecb5184ac44de95a913297f353745-Beck, Nancy]  
**Subject:** RE: another ethics question

I am pleading the fifth.

---

**From:** Beck, Nancy  
**Sent:** Friday, May 26, 2017 4:04 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** RE: another ethics question

Is anything easy around here??  
Mama-mia!

---

Nancy B. Beck, Ph.D., DABT  
Deputy Assistant Administrator, OCSPP  
P: 202-564-1273  
M: Ex. 6 - Personal Privacy  
[beck.nancy@epa.gov](mailto:beck.nancy@epa.gov)

---

**From:** Fugh, Justina  
**Sent:** Friday, May 26, 2017 4:02 PM  
**To:** Beck, Nancy <[Beck.Nancy@epa.gov](mailto:Beck.Nancy@epa.gov)>  
**Subject:** RE: another ethics question

Hi,  
The ethics travel form is a dinosaur, so it's still in Lotus Notes. You will need to contact EZTech for an updated Lotus Notes account/ID and set a password. That's the worst part. To find the form itself, go to <http://intranet.epa.gov/ogc/ethics/travel.htm>. You will need to fill out some information and then route it to your own Deputy Ethics Official, who is Wendy Cleland Hamnett. She'll review the electronic form and then route it to us in OGC/Ethics for final approval. We turn around requests within a couple of days or even faster if necessary.

If the event is less than 50 miles from the duty station, then you cannot use the ethics travel form (because you will not be in travel status). In that case, please consult with us because we will have to see if there is some other way to accept whatever gift is offered (free attendance, free food, waiver of conference fee, etc.).  
Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** Beck, Nancy  
**Sent:** Friday, May 26, 2017 3:10 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** RE: another ethics question

Thank you Justina.

I would likely be doing this in official capacity. Good to know I need a form for each event. What if its within 50 miles (eg local), I presume I still need a form despite their being no travel?

I will look for the form on the web. How long is the typical approval process?  
thank you (again)!!

---

Nancy B. Beck, Ph.D., DABT  
Deputy Assistant Administrator, OCSPP  
P: 202-564-1273  
M: Ex. 6 - Personal Privacy  
[beck.nancy@epa.gov](mailto:beck.nancy@epa.gov)

---

**From:** Fugh, Justina  
**Sent:** Friday, May 26, 2017 2:42 PM  
**To:** Beck, Nancy <Beck.Nancy@epa.gov>  
**Subject:** RE: another ethics question

Hi Nancy,

There are two lanes on my ethics highway: official duty and a separate lane for personal capacity (have attached a chatty document we distributed back in February 2017 as a reminder, in case you're interested). I will always start by asking if you are speaking in your official capacity or not. If you are, then you can use official time, be placed on official travel, can use subordinates to prepare remarks, be referenced by your official EPA title and position, and speak on behalf of the Agency but can't share nonpublic information. EPA will pay for your travel or, if a non-federal entity makes an unsolicited offer to pay for your travel, then you may ask OGC/Ethics to accept. We make you use an electronic form that you must get us to approve in advance. This works only if you will be in official travel status (more than 50 miles from the duty station) and you'll be at a meeting or conference or other exchange of information. Can never be used in connection with non-discretionary duties.

If you will in personal capacity, then you must be on annual leave, can't refer to your EPA position and title (except as one of several biographical details with EPA not having any undue prominence), can't use subordinates or the EPA seal, can't share nonpublic information, and can't speak on behalf of EPA.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** Beck, Nancy  
**Sent:** Thursday, May 25, 2017 5:41 PM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Subject:** another ethics question

Justina,  
Are there any restrictions regarding my participating on panels or giving talks at scientific meetings?  
I presume I would have to somehow get this approved by management, but otherwise would there be any ethics concerns?  
This would scientific meetings that if they involved travel, I'm sure EPA would pay my way (and I likely would go to the meeting anyways)

Thanks!  
Nancy

\*\*\*\*\*

Nancy B. Beck, Ph.D., DABT  
Deputy Assistant Administrator  
Office of Chemical Safety and Pollution Prevention  
P: 202-564-1273  
M: Ex. 6 - Personal Privacy  
[beck.nancy@epa.gov](mailto:beck.nancy@epa.gov)

Message

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**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 3/6/2017 5:07:11 PM  
**To:** Davis, Gail [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3778a7cc1fa4f078f7c4b447c63e7c8-Gdavis04]  
**Subject:** RE: Scottsdale, AZ/ NAM Meeting

I've got it with me (I'm at home today) in hard copy. Let me take care of it now.

---

**From:** Davis, Gail  
**Sent:** Monday, March 06, 2017 9:44 AM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** Scottsdale, AZ/ NAM Meeting

Good morning Justina, were you able to approve the Ethics form for the NAM meeting? I went in Lotus Notes today and didn't see your approval. Thanks.

Message

---

**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 9/7/2017 5:29:09 PM  
**To:** Ford, Hayley [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4748a9029cf74453a20ee8ac9527830c-Ford, Hayle]  
**CC:** Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]  
**Subject:** RE: Ethics Approval: National Stone Sand & Gravel Association Speaking Engagement

Hayley,

Yes to this speaking engagement in concept, but please note that the requestor is a federally registered lobbyist. This means that the Administrator cannot accept any gifts from them AT ALL (not a pen, a little airplane, a t-shirt, etc.). He could accept a presentation item such as a plaque, but not anything with any intrinsic value (like a paperweight or hard hat). It's likely that anything they give him will have to be returned, so it's best to alert them up front not to give him any gifts.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** Ford, Hayley  
**Sent:** Wednesday, September 06, 2017 5:12 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Cc:** Keith, Jennie <Keith.Jennie@epa.gov>  
**Subject:** Ethics Approval: National Stone Sand & Gravel Association Speaking Engagement

Another!

***Hayley Ford***

Deputy White House Liaison  
Office of the Administrator  
Environmental Protection Agency  
Room: 3309C William Jefferson Clinton North  
[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)  
Phone: 202-564-2022  
Cell: 202-306-1296

Message

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**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 9/7/2017 5:27:13 PM  
**To:** Ford, Hayley [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4748a9029cf74453a20ee8ac9527830c-Ford, Hayle]  
**CC:** Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]  
**Subject:** RE: External Meeting Request Form.docx

Hayley,

Yes to this meeting at EPA in concept, but please note that Senator Lott is a federally registered lobbyist. This means that the Administrator cannot accept any gifts from him or his client AT ALL (not a pen, a little airplane, a t-shirt, etc.). Anything they give him will have to be returned, so it's best to alert them up front not to come bearing gifts.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** Ford, Hayley  
**Sent:** Wednesday, September 06, 2017 6:57 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Cc:** Keith, Jennie <Keith.Jennie@epa.gov>  
**Subject:** FW: External Meeting Request Form.docx

For your ethics review and approval. Thanks!

***Hayley Ford***

Deputy White House Liaison  
Office of the Administrator  
Environmental Protection Agency  
Room: 3309C William Jefferson Clinton North  
[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)  
Phone: 202-564-2022  
Cell: Ex. 6 - Personal Privacy

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**From:** Roberts, Jennifer [<mailto:jennifer.roberts@squirepb.com>]  
**Sent:** Wednesday, September 6, 2017 3:31 PM  
**To:** Ford, Hayley <[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)>  
**Subject:** External Meeting Request Form.docx

Dear Hayley,

Please find attached the completed form for the meeting Senator Lott is requesting.

Jennifer

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46 Offices in 21 Countries

This message is confidential and may be legally privileged or otherwise protected from disclosure. If you are not the intended recipient, please telephone or email the sender and delete this message and any attachment from your system; you must not copy or disclose the contents of this message or any attachment to any other person.

Squire Patton Boggs (US) LLP is part of the international legal practice Squire Patton Boggs, which operates worldwide through a number of separate legal entities. Please visit [www.squirepattonboggs.com](http://www.squirepattonboggs.com) for more information.

#US

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Message

**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 4/21/2017 9:58:17 PM  
**To:** Hupp, Sydney [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d50089ff1a5b4c83baa0160afe2c33cb-Hupp, Sydne]  
**Subject:** as discussed  
**Attachments:** HOW TO REVIEW POLITICAL INVITATIONS.doc; HOW TO CALCULATE POLITICAL TRAVEL v2.doc

Hi Sydney,

You asked for more information about political events.

**Ex. 5 - Deliberative Process**

## Ex. 5 - Deliberative Process

- 1) The Administrator cannot, in his official capacity, attend the event. He can go in his personal capacity, as E. Scott Pruitt, former AG of Oklahoma, but not as the EPA Administrator. The campaign cannot refer to him by his EPA title (though they can call him the Honorable Scott Pruitt), and they can't use his name in connection with any fundraising or promotion. I will want to review their flyers, etc. before issuance to ensure that they don't cause problems for Mr. Pruitt.
- 2) Because this is personal, EPA employees can't assist him. Someone can still schedule it, but it is not an official activity, so he can't give an official EPA speech, and no one can help him write his speech. Under the Hatch Act, he can't accept volunteer political services from a subordinate.
- 3) He can speak about the candidate and urge support, but he absolutely cannot ask people to give money to the campaign.
- 4) The security detail can still go with him (they protect him 24/7, no matter what), but EPA cannot pay for the Administrator's travel expenses. Instead, the campaign must pay, and I work with Gail Davis to calculate the costs and then issue a bill to the campaign.

Attached are two guidances that I developed previously that may be useful. We can certainly update them as necessary.

**Ex. 5 - Deliberative Process**

Ex. 5 - Deliberative Process

Happy Friday,  
Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772



Message

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**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 8/13/2018 5:44:11 PM  
**To:** McIntosh, Chad [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e328de48699c4747ad3a421e3aa5e850-McIntosh, W]  
**CC:** Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]  
**Subject:** RE: UPCOMING ETHICS TRAININGS

Of course! What's happening here is that we are first focusing on those AAs with confirmed PAS appointees. Jennie (copied here) plans also to reach out to those AAs (such as OITA and OLEM) that don't yet have confirmed appointees and offer training to them, as well.

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** McIntosh, Chad  
**Sent:** Monday, August 13, 2018 10:29 AM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** FW: UPCOMING ETHICS TRAININGS

When you have a moment, could we discuss some targeted training for OITA?

Thanks Chad

---

**From:** Jackson, Ryan  
**Sent:** Friday, August 10, 2018 1:21 PM  
**To:** Wheeler, Andrew <wheeler.andrew@epa.gov>; Darwin, Henry <darwin.henry@epa.gov>; Wehrum, Bill <Wehrum.Bill@epa.gov>; Greaves, Holly <greaves.holly@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>; Bodine, Susan <bodine.susan@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; McIntosh, Chad <mcintosh.chad@epa.gov>; Cook, Steven <cook.steven@epa.gov>; Wright, Peter <wright.peter@epa.gov>; Yamada, Richard (Yujiro) <yamada.richard@epa.gov>; Ross, David P <ross.davidp@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>; Dunn, Alexandra <dunn.alexandra@epa.gov>; Lopez, Peter <lopez.peter@epa.gov>; Servidio, Cosmo <Servidio.Cosmo@epa.gov>; Glenn, Trey <Glenn.Trey@epa.gov>; Stepp, Cathy <stepp.cathy@epa.gov>; Idsal, Anne <idsal.anne@epa.gov>; Gulliford, Jim <gulliford.jim@epa.gov>; Benevento, Douglas <benevento.douglas@epa.gov>; Stoker, Michael B. <stoker.michael@epa.gov>; Hladick, Christopher <hladick.christopher@epa.gov>; Baptist, Erik <Baptist.Erik@epa.gov>  
**Cc:** Minoli, Kevin <Minoli.Kevin@epa.gov>; Fugh, Justina <Fugh.Justina@epa.gov>; Keith, Jennie <Keith.Jennie@epa.gov>  
**Subject:** UPCOMING ETHICS TRAININGS

Dear Colleagues,

As mentioned during the July 19 ethics meeting with speakers from the White House, OGC/Ethics will be conducting training sessions in August on "embedding ethics into the calendaring process." You and your staff must take those

trainings and work with your respective ethics officials to integrate ethics review into your scheduling process. Attached is a one-page summary of the effort.

Be sure to read emails from Kevin Minoli, Justina Fugh, and/or Jennie Keith of OGC/Ethics and ensure that you all receive the necessary training. We need to complete the training as quickly as possible.

Ryan

Ryan Jackson  
Chief of Staff  
U.S. Environmental Protection Agency  
(202) 564-6999

Message

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**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 4/18/2017 11:57:58 PM  
**To:** Bolen, Brittany [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=31e872a691114372b5a6a88482a66e48-Bolen, Brit]  
**Subject:** RE: speaking event

Hi Brittany,

Yes, you may speak in your official capacity. But since the Portland Cement Association is a federally registered lobbyist, and the event is in May, let's talk also about the Trump ethics pledge. You are still, so far as I know, in an AD position, so you do not have to sign the pledge. But if you are converted to a political appointment (as non-career SES or Schedule C), then you will have to sign the pledge and will be subject to the ban against accepting any gifts from a lobbyist (including meals or even a PCA tshirt or hat).

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** Bolen, Brittany  
**Sent:** Tuesday, April 18, 2017 7:24 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** speaking event

Hi Justina –

I know we briefly discussed this during our ethics training, but can you please refresh my memory on our policy for speaking engagements? The Portland Cement Association sent me the request below.

First, we'd be honored to have you speak on a regulatory reform panel discussion that we're hosting for our members. The panel would speak on Wednesday May 10th at 8:30 before an audience of approximately 60 representatives of PCA's member companies, including CEOs and key decision makers. They will be in town for PCA's annual Fly-in. I don't think it would require much preparation. We'd like you to give a brief introduction of EPA's regulatory/regulatory reform priorities and to be able to answer soft questions from my colleague Mike Schon who will moderate. We'd be honored to have you.

Can you please let me know how best to respond?

Thanks,

Brittany

**Brittany Bolen**  
Deputy Associate Administrator, Office of Policy  
U.S. Environmental Protection Agency

(202) 564-3291

Bolen.Brittany@epa.gov

Message

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**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 2/14/2017 4:55:05 PM  
**To:** Minoli, Kevin [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c9c0070d651a4625ac20258369f9b050-KMINOLI]  
**Subject:** RE: Pruitt at CPAC  
**Attachments:** HOW TO CALCULATE POLITICAL TRAVEL.doc; HOW TO REVIEW POLITICAL INVITATIONS.doc

Kevin,  
Here is the draft response to Ryan Jackson.  
Justina

# Ex. 5 - Deliberative Process

# Ex. 5 - Deliberative Process

justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** Jackson, Ryan (Inhofe) [mailto:Ryan\_Jackson@inhofe.senate.gov]  
**Sent:** Monday, February 13, 2017 8:27 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** RE: Pruitt at CPAC

One of the reasons why I raise this is that although we were talking earlier that CPAC is a 501(c)(4), it is actually a 501(c)3.

---

**From:** Jackson, Ryan (Inhofe)  
**Sent:** Monday, February 13, 2017 8:25 PM  
**To:** 'fugh.justina@epa.gov' <[fugh.justina@epa.gov](mailto:fugh.justina@epa.gov)>  
**Subject:** Pruitt at CPAC

Justina, we are making arrangements for CPAC. It is at National Harbor on Saturday February 25. His speaking time is 1:15pm. We talked about CPAC reimbursing EPA for the travel. What all is included in CPAC's reimbursement for their planning purposes?

Thank you.

---

Ryan Jackson  
Chief of Staff  
U.S. Senator James M. Inhofe  
205 Russell Senate Office Building  
Washington, D.C. 20510  
(202) 224-4721  
(202) 228-1007 facsimile

Message

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**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 2/4/2017 1:33:36 AM  
**To:** Minoli, Kevin [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c9c0070d651a4625ac20258369f9b050-KMINOLI]  
**Subject:** Don Benton asked me a question that I just noticed and answered

I also hadn't noticed previously that he uses "senator" in his EPA signature block. That's ... unexpected.

---

**From:** Fugh, Justina  
**Sent:** Friday, February 03, 2017 8:32 PM  
**To:** Benton, Donald <benton.donald@epa.gov>  
**Subject:** RE: Ethics question

Hi there,

Gosh, I'm sorry that it's taken me a few hours to get back to you, but I didn't want to leave for the night without responding. Now that you are a federal employee, you are bound by the Hatch Act which limits unfettered partisan political activity. In order to accept this invitation, you will need to follow these rules:

- You can participate only in your personal capacity. You have to be on your own time (annual leave or leave without pay) during the entirety of the event. Do not mix official business (like checking your EPA email) while engaged in the political activity.
- Yes, you may accept the gift of travel, including airfare and hotel, in your personal capacity. If the gift is reportable under Section 304 of the Federal Election Campaign Act, then you won't have to report it on your next financial disclosure report. You don't have to report gifts on the public financial disclosure report this time (as a new entrant), but next time (as an annual or termination filer), you will have to report gifts, and you will likely have to report the gift of this travel at that time.
- You cannot refer to your EPA position and title, nor can you be introduced by your EPA position and title. Additionally, the organizers cannot use your EPA position and title to promote the event.
- This particular prohibition means that you can't talk as an EPA employee at all. What you can do, carefully, is to speak about your personal experiences as a member of the transition team. To be clear, you can only talk about your personal, individual experiences. Because this is partisan political activity, you are prohibited from using your title or EPA affiliation while participating in the political activity.
- You can never ask for political contributions and, if this is a fundraising event (e.g., they sell tickets), then you need to be super careful. You can't invite other people to come see you speak (because they will have to buy tickets), and we don't want the organizers to include your name on the promotional materials on the same page as their ticket pricing.
- And you may never knowingly encourage or discourage the participation in political activity of any person who has business pending before the Agency.

Bottom line is that it's possible to accept the offer to speak, but you will have to do so in your personal capacity and still abide by the applicable Hatch Act rules.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** Benton, Donald  
**Sent:** Friday, February 03, 2017 3:45 PM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Subject:** Ethics question  
**Importance:** High

Justina,  
The Whatcom County Republican party holds an annual dinner and has asked me to be their keynote speaker and have agreed to pay my airfare and hotel costs for attending. Is this something that is ok or not?  
Thanks,

Don  
Senator Don Benton  
Senior White House Advisor  
Office of the Administrator  
202.564.4711





Message

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**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 3/17/2017 4:31:00 PM  
**To:** Hupp, Millan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=92cac7b684b64f90953b753a01bee0d5-Hupp, Milla]  
**CC:** Hupp, Sydney [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d50089ff1a5b4c83baa0160afe2c33cb-Hupp, Sydne]; Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]  
**Subject:** RE: Event Request Form, April 3 Reception/Dinner  
**Attachments:** Admin. Pruitt Event Request Form.tiff

Hi there,

Do you think they really meant to say that there will be only 15 people present at the event? Well, the event appears to be in DC and the Administrator has been invited to give remarks, so we can conclude that he's giving a speech at this event (even though it's a relatively small number of people expected to be in attendance). Pursuant to 5 CFR 2635.203(b)(8), he can attend and eat the meal (and so can you, if you are accompanying him). DEPA is not a federally registered lobbyist, by the way.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** Hupp, Millan  
**Sent:** Thursday, March 16, 2017 2:57 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Cc:** Hupp, Sydney <hupp.sydney@epa.gov>  
**Subject:** FW: Event Request Form, April 3 Reception/Dinner

Justina – could you kindly review and let me know if we may schedule the Administrator to attend this reception?

Thank you,  
Millan

---

**From:** Hupp, Millan  
**Sent:** Wednesday, March 15, 2017 3:05 PM  
**To:** Hupp, Sydney <hupp.sydney@epa.gov>  
**Subject:** FW: Event Request Form, April 3 Reception/Dinner

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**From:** rrobertson@depausa.org [mailto:rrobertson@depausa.org]  
**Sent:** Wednesday, March 15, 2017 2:47 PM  
**To:** Hupp, Millan <hupp.millan@epa.gov>  
**Cc:** Pete Regan <pregan@depausa.org>  
**Subject:** Event Request Form, April 3 Reception/Dinner

Miss Millan, please see request form attached.  
I will provide all additional event information (location, etc.) as soon as possible.

Please let me know if there is anything else you need at this time. Thank you!  
Regan

Regan Robertson  
DEPA  
Domestic Energy Producers Alliance  
4124 S Rockford Ave. Ste 201  
Tulsa, OK 74105  
Telephone: 918-293-3921  
[rrobertson@depausa.org](mailto:rrobertson@depausa.org)  
[www.depausa.org](http://www.depausa.org)

Message

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**From:** Kime, Robin [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7EF7B76087A6475B80FC984AC2DD4497-RKIME]  
**Sent:** 2/22/2018 8:38:08 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** FW: Ethics for S.Dravis: April 6 IBA Conference  
**Attachments:** dravis.ethics.IBA.2018-02-16-130041.pdf

Hi

I hope you are well. I am sorry to bug you but I think we need to include the approved Ethics form with Samantha's ITP. Would you mind letting me know if there are any questions or changes needed to this? Thanks!

---

**From:** Kime, Robin  
**Sent:** Friday, February 16, 2018 3:12 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** Ethics for S.Dravis: April 6 IBA Conference

Hello,

Attached is Samantha's completed and signed Ethics form for the April IBA Conference. I created the form and am glad to make any changes so please just let me know if more information is needed. Thanks very much and take care.

Robin

564-6587

Message

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**From:** Kime, Robin [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7EF7B76087A6475B80FC984AC2DD4497-RKIME]  
**Sent:** 11/13/2017 4:23:09 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**CC:** Atkinson, Emily [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bb2155adef6a44aea9410741f0c01d27-Atkinson, Emily]  
**Subject:** EEI Ethics for B. Bolen  
**Attachments:** B Bolen EEI Ethics2017-11-13-093118.pdf

Good morning,  
Attached is the completed Ethics form for Brittany. Thanks so much to you and also to Emily.  
Take care.

Message

---

**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 2/19/2018 8:03:57 PM  
**To:** Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]  
**Subject:** FW: Ethics for S.Dravis: April 6 IBA Conference  
**Attachments:** dravis.ethics.IBA.2018-02-16-130041.pdf; Re\_ Invitation to speak at International Bar Association Conference April 9.pdf

**Importance:** High

Hi Jennie,  
Can you add this approval to your list? I've also attached the email exchange I had with Roger Martella about the offer of funding. Then send the approval to both Samantha and Robin Kime?  
Thanks!  
Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** Kime, Robin  
**Sent:** Friday, February 16, 2018 3:12 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** Ethics for S.Dravis: April 6 IBA Conference

Hello,  
Attached is Samantha's completed and signed Ethics form for the April IBA Conference. I created the form and am glad to make any changes so please just let me know if more information is needed. Thanks very much and take care.  
Robin  
564-6587

Message

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**From:** Minoli, Kevin [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C9C0070D651A4625AC20258369F9B050-KMINOLI]  
**Sent:** 8/10/2018 12:06:01 PM  
**To:** Jackson, Ryan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=38bc8e18791a47d88a279db2fec8bd60-Jackson, Ry]  
**CC:** Willis, Sharnett [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=97b55bdfac5e41d8aa81064dfa2cb944-Willis, Sharnett]; Dickerson, Aaron [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d0440d9f06994021827e0d0119126799-Dickerson,]  
**Subject:** Re: Draft Email for you to Send (please send email and the attached attachment) Thanks!

We can send someone down to with Sharnett or Aaron this morning if you'd like.

Kevin S. Minoli  
Principal Deputy General Counsel &  
Designated Agency Ethics Official  
Office of General Counsel  
US Environmental Protection Agency  
Main Office Line: 202-564-8040

On Aug 10, 2018, at 8:04 AM, Jackson, Ryan <jackson.ryan@epa.gov> wrote:

This is fine. How do we get this set up so it can be sent out from me?

---

**From:** Minoli, Kevin  
**Sent:** Thursday, August 9, 2018 6:35 PM  
**To:** Jackson, Ryan <jackson.ryan@epa.gov>  
**Subject:** Draft Email for you to Send (please send email and the attached attachment) Thanks!

**FROM:** RYAN JACKSON  
**TO:** Wheeler, Andrew <wheeler.andrew@epa.gov>; Darwin, Henry <darwin.henry@epa.gov>; Wehrum, Bill <Wehrum.Bill@epa.gov>; Greaves, Holly <greaves.holly@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>; Bodine, Susan <bodine.susan@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; McIntosh, Chad <mcintosh.chad@epa.gov>; Cook, Steven <cook.steven@epa.gov>; Wright, Peter <wright.peter@epa.gov>; Yamada, Richard (Yujiro) <yamada.richard@epa.gov>; Ross, David P <ross.davidp@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>; Dunn, Alexandra <dunn.alexandra@epa.gov>; Lopez, Peter <lopez.peter@epa.gov>; Servidio, Cosmo <servidio.cosmo@epa.gov>; Glenn, Trey <Glenn.Trey@epa.gov>; Stepp, Cathy <stepp.cathy@epa.gov>; Idsal, Anne <idsal.anne@epa.gov>; Gulliford, Jim <gulliford.jim@epa.gov>; Benevento, Douglas <benevento.douglas@epa.gov>; Stoker, Michael

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CC: Kevin Minoli, Justina Fugh, Jennie Keith  
DATE: DURING THE WEEK OF August 6  
SUBJECT: UPCOMING ETHICS TRAININGS

Dear Colleagues,

As mentioned during the July 19 ethics meeting with speakers from the White House, OGC/Ethics will be conducting training sessions in August on “embedding ethics into the calendaring process.” You and your staff must take those trainings and work with your respective ethics officials to integrate ethics review into your scheduling process. Attached is a one-page summary of the effort.

Be sure to read emails from Kevin Minoli, Justina Fugh, and/or Jennie Keith of OGC/Ethics and ensure that you all receive the necessary training. I am expecting that you will all complete the training as quickly as possible.

Ryan

**Kevin S. Minoli**

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